

It is expected that a quorum of the Personnel Committee, Board of Public Works, Plan Commission and Administration Committee will be attending this meeting; although it is not expected that any official action of any of those bodies will be taken.

*****Amended*****

CITY OF MENASHA
Common Council
City Hall-140 Main St.-Council Chambers-3rd Floor
November 19, 2007

7:00 PM

AGENDA

 + [Back](#)  [Print](#)

1. CALL TO ORDER

- A. PUBLIC HEARING-6:45 PM - Proposed City of Menasha 2008 Budget
- B. Call to Order

2. PLEDGE OF ALLEGIANCE

- A. Pledge of Allegiance - led by Butte Des Morts School Girl Scout Troop #291

3. ROLL CALL/EXCUSED ABSENCES

- A. Roll Call

4. MINUTES TO APPROVE-MINUTES & COMMUNICATIONS TO RECEIVE

Minutes to approve:

- A. Common Council, 11/5/07

☐
[Attachments](#)

- B. Budget Review Session, 11/1/07, 11/8/07, 11/12/07

☐
[Attachments](#)

Minutes to receive:

- C. Administration Committee, 11/5/07

☐
[Attachments](#)

- D. Board of Public Works, 11/5/07

☐
[Attachments](#)

- E. Personnel Committee, 10/15/07

☐
[Attachments](#)

- F. Public Hearing, 11/5/07

☐
[Attachments](#)

- G. Plan Commisison, 11/6/07

☐
[Attachments](#)

Communications:

- A. Comp. Stoffel, 11/9/07; Budget- Dental Insurance Adjustments

☐
[Attachments](#)

- B. Comp Stoffel, 11/9/07; Budget-Health Insurance Adjustment ☐ [Attachments](#)
- C. Comp Stoffel, 11/9/07; Budget-Health Dept. revenues and expenditures ☐ [Attachments](#)
- D. Comp. Stoffel, 11/15/07; 2008 Operations and Capital Budget Summary ☐ [Attachments](#)
- E. Cities and Villages Mutual Insurance Company to CA/HRD Brandt, 11/15/07; Marsh and AIG Settlement and 2007 EPLI Rebate letter ☐ [Attachments](#)
- F. Comp Stoffel, 11/13/07; Costs of procurement and demolition of 81and 87 Racine St. and 504 Broad St. ☐ [Attachments](#)
- G. Ald. Chase, 11/5/07; Five Oaks Park Letter ☐ [Attachments](#)
- H. Calumet County Legislative Committee, 10/19/07 ☐ [Attachments](#)
- I. PRD Tungate, 11/13/07; Fact Sheet: *Health Benefits of Parks and Recreation* ☐ [Attachments](#)
- J. Tom Franz (UW-Fox) to Clerk Galeazzi, 11/9/07; recording of 11/5/07 Council Meeting ☐ [Attachments](#)
- K. MU GM Young, 11/15/07; Response to a citizen's questions ☐ [Attachments](#)
- L. Customers First! Newsletter, 11/07; *The Wire* ☐ [Attachments](#)
- M. PWD Radtke, 11/15/07; 2007-2011 Street Improvement Program ☐ [Attachments](#)
- N. PWD Radtke, 11/12/07; 2008 Budget Review-Midway Road Walk Project ☐ [Attachments](#)

5. PUBLIC COMMENTS ON ANY MATTER OF CONCERN TO THE CITY

Five (5) minute time limit for each person

- A. Public comments on any matter of concern to the City

6. CLAIMS AGAINST THE CITY

- A. A motion is in order for the Common Council to issue a formal notice of disallowance for the claim of Scott Johnson and that he be advised of his statutory rights pursuant to Wis. Stats. 893.80. ☐ [Attachments](#)

7. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS

- A. CA/HRD Brandt - Cities and Villages Mutual Insurance Company, 2007 Award of Excellence-Silver and twenty year recognition

8. REPORT OF COMMITTEES/BOARDS/COMMISSIONS

A. Plan Commission:

- 1. 10/30/07; Recommends approval of the Open Space and Recreation Facilities Plan 2007-2011 ☐ [Attachments](#)
- 2. 11/6/07; Recommends approval of the design concept for 81 and 87 Racine Street and 504 Broad Street based on the following findings - The design concept is consistent with the proposed Comprehensive Land Use Plan - The design concept is consistent with the Schreiber-Anderson Third/Racine Street Corridor plan. - ☐ [Attachments](#)

The design concept is consistent with past council direction regarding the properties at 81 and 87 Racine Street and 504 Broad Street

B. Administration Committee:

1. Agreement for property maintenance and tax listing services with Associated Appraisal Consultants for the assessment years 2008-2011, and authorize signature ☐ [Attachments](#)
2. Amendment #1 to development agreement between PJC Group and City of Menasha, and authorize signature. ☐ [Attachments](#)
3. Accounts payable and payroll for 11/8/07-11/15/07 in the amount of \$539,137.46 ☐ [Attachments](#)

C. Board of Public Works:

1. 14th Annual Fox Cities New Year's Eve Celebration; Monday, December 31, 2007; 10:30 PM to 12:30 AM; Community Forward, Inc. ☐ [Attachments](#)
2. Concerns regarding drainageway at 2140 Grassy Plains Drive ☐ [Attachments](#)

D. Personnel Committee:

1. Recommends approval of the Employee ID Badge Policy ☐ [Attachments](#)
2. Recommends approval of consideration of April 1, 2008 and October 1, 2008 adjustments to all non-represented employees' salaries ☐ [Attachments](#)
3. Recommends approval of consideration of April 1, 2008 and October 1, 2008 adjustments to Supervisory Lieutenants' salaries. ☐ [Attachments](#)

9. ORDINANCES AND RESOLUTIONS

- A. O-39-07 - Ordinance relating to park regulations (animals in parks) ☐ [Attachments](#)
- B. R-19-07 - Resolution investigating the future use or sale of properties at 504 Broad St., 81 Racine St., 87 Racine St. ☐ [Attachments](#)
- C. R-20-07-Resolution levying taxes for the purpose of paying the operating expenses for the year 2008 for the City of Menasha ☐ [Attachments](#)
- D. R-21-07 - Resolution supporting ECO-Municipality Concepts ☐ [Attachments](#)
- E. R-22-07 - Resolution for the adoption of the City of Menasha Open Space and Recreation Facilities Plan ☐ [Attachments](#)

10. HELD OVER BUSINESS

- A. 10/30/07; Plan Commission Recommends approval of the sale of 81 Racine Street and 504 Broad Street with the inclusion of a twenty-foot wide easement along the Racine Street frontage of 81 Racine Street for pedestrian trail and landscaping development. ☐ [Attachments](#)
- B. 10/23/07; N-M Fire Rescue, Finance and Personnel Committee; recommends approval of Theda Care as the provider and double check the quote from them is for 68 department members and the physicals be performed in 2008 and paid for from the 2008 budget (Held 11/5/07)
- C. Menasha Steam Plant Noise Issue (Ald. Taylor)
- D. Menasha Health Department Relocation (Ald. Taylor) ☐ [Attachments](#)
- E. Schreiber-Anderson Report, Racine Street Corridor (Ald. Taylor) ☐ [Attachments](#)

F. Athletica Fitness LLC Health Club, Lake Park (Ald. Taylor)

G. 81 Racine Street Property (Ald. Taylor)

11. COUNCIL DIRECTIVES

A. CA/HRD Brandt- Lake Park - City and developer portions of investment in the project;

Status of receivership and City's next step (Ald. Hendricks)

B. CDD Keil - Fox Cinema landscaping completion (Ald. Hendricks)

12. CITIZEN REPRISE (People from the gallery to be heard; only pertaining to matters on the agenda - five (5) minute time limit for each person)

A. Public comments on matters pertaining to matters on the agenda

13. ADJOURNMENT

A. Adjournment

MEETING NOTICE: Monday, December 3, 2007

Common Council-7:00 PM

Administration Committee-To be determined

Board of Public Works-To be determined

Menasha is committed to its diverse population. Our Non-English speaking population or those with disabilities are invited to contact the Clerk's Office at 967-3600 at least 24-hours in advance of the meeting so special accommodations can be made.

CITY OF MENASHA
Common Council
City Hall-140 Main St.-Council Chambers-3rd Floor
November 5, 2007
MINUTES

1. CALL TO ORDER

- A. Meeting Called to Order by Mayor Laux at 7:43 p.m.

2. PLEDGE OF ALLEGIANCE

- A. Pledge of Allegiance

3. ROLL CALL/EXCUSED ABSENCES

- A. PRESENT: Ald. Eckstein, Michalkiewicz, Chase, Merkes, Taylor, Wisneski, Pack, Hendricks.
ALSO PRESENT: Mayor Laux, CA/HRD Brandt, Lt. Brunn, FC Vander Wyst, DPW Radtke,
CDD Keil, C/T Stoffel, PRD Tungate, Clerk Galeazzi, the Press.
DEPT. HEAD EXCUSED: PHD Nett.

4. MINUTES TO APPROVE-MINUTES & COMMUNICATIONS TO RECEIVE

Minutes to approve:

- A. Common Council, 10/15/07

Moved by Ald. Michalkiewicz, seconded by Ald. Eckstein to approve minutes.
Motion carried on voice vote.

Minutes to receive:

- B. Administration Committee, 10/15/07
C. Board of Public Works, 10/15/07
D. Board of Health, 9/12/07
E. Information Technology Steering Committee, 9/26/07
F. Library Board, 10/18/07
G. Public Library Long Range Planning Committee, 10/15/07
H. N-M Fire Rescue, Finance and Personnel Committee, 10/23/07
I. N-M Fire Rescue Joint Fire Commission, 10/24/07
J. Neenah-Menasha Sewerage Commission, 9/18/07
K. Park Board, 9/24/07
L. Plan Commission, 10/30/07
M. Police Commission, 10/5/07
N. Safety Committee, 9/5/07; City Hall
O. Safety Committee, 9/20/07; Police Department
P. Safety Committee, 9/25/07; Public Works and Parks Departments
Q. Special Meeting of the Water and Light Commission; 9/18/07, 10/2/07, 10/16/07
R. Water and Light Commission, 9/26/07

Communications:

- A. PRD Tungate, 10/30/07; Peanut Island Cannon Rededication
- B. UW Fox Valley foundation Inc. to Sanitarian Todd Drew, 10/23/07; Thank you-E.A.T.S fundraiser
- C. Final Estimate of Jan. 1, 2007 population, 10/10/07; Winnebago and Calumet Counties
- D. Public Works Facility, 10/07; August/September 2007 disposal violations
- E. Information Technology Dept., 10/31/07; Newsletter from Unitel containing City of Menasha article
- F. Jeff Riedl to Aldermen, 10/11/07; email regarding crime rates in City of Menasha
- G. Sandra Dabill Taylor (545 Broad St.) to Mayor Scherck, 10/29/07; televising City of Neenah Common Council meetings

Moved by Ald. Michalkiewicz, seconded by Ald. Eckstein to approve Minutes to Receive B-R and Communication A-G.

Discussion: Ald. Hendricks-Minutes K & L name of person that took minutes not listed. CA/HRD Brandt explained each committee assigns a person to take the minutes, not required to have name on minutes.

Ald. Merkes-Minutes Q, of 10/16/07 be refer back to Water and Light Commission, some inconsistencies.

Mayor Laux explained these are only Minutes to Receive, not approve.

Ald. Wisneski-Minutes N, receive records back from previous Safety Committee Manager; Communication C, increase in City population should be update on City signs.

Ald. Merkes requested Minutes to Receive Q be separated out.

Moved by Ald. Merkes, seconded by Ald. Taylor not to accept Minutes to Receive Q.

Motion failed on roll call 4-4.

Ald. Merkes, Taylor, Wisneski, Hendricks – yes

Ald. Pack, Eckstein, Michalkiewicz, Chase – no

Moved by Ald. Michalkiewicz, seconded by Ald. Eckstein to approve Minutes to Receive Q

Motion carried on roll call 5-3.

Ald. Wisneski, Pack, Eckstein, Michalkiewicz, Chase – yes.

Ald. Merkes, Taylor, Hendricks – no.

Motion to approve remainder of Minutes to Receive and Communications carried on voice vote.

5. PUBLIC COMMENTS ON ANY MATTER OF CONCERN TO THE CITY

Five (5) minute time limit for each person

- A. Bob Accord, Architect for Crossroads Church. Changes relating to Site Plan Review.
- B. Pastor Mike Huff, 120 Lorraine Ave., Neenah. Changes relating to Site Plan Review.
- C. Kathy Bauer, 709 Lincoln St. Steam Plant 2008 Budget; Menasha 2008 Budget.
- D. Chris Evenson, 523 Broad St. Offer to Purchase, 81 Racine St./504 Broad St.
- E. Micki Coenen, 901 7th St. Problems in City parks; gang and drug issues in the City.
- F. Mary Nebel, 713 1st St. Marketing of City properties; 81 Racine St./504 Broad St.
- G. Tony Weinandt, 829 Ida St. Council needs to work together, discuss items.
- H. Joanne Roush, 409 Cleveland St. GM Young attending meetings; 81 Racine St./504 Broad St.
- I. Mary Ann Mulvey, 274 Misty Meadows. Comments by CA/HRD Brandt on eminent domain
- J. Terry Bomier, Bomier Properties. Proposal for marketing City-owned commercial properties.
- K. Jeff Riedl, 408 Appleton St. Fair market value of City property; Increase Police Officers; Sale of 81 Racine St. /504 Broad St.
- L. Jeff Harvey, 514 Broad St. 81 Racine St/504 Broad St.

6. APPOINTMENTS

- A. None

7. CLAIMS AGAINST THE CITY

- A. None

8. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS

- A. CA/HRD Brandt - Report on e-mails received by all Aldermen considered open records

E-mails received or sent are considered open records. As elected officials, Aldermen need to find a system to manage their open records. If asked, they will need to provide the documents. Newsletters sent by Aldermen and any correspondence, sent or received, regarding City business are considered open records. Aldermen interested in obtaining more information on open records can attend a seminar or talk to CA/HR Brandt.

9. REPORT OF COMMITTEES/BOARDS/COMMISSIONS

A. Plan Commission:

1. 10/30/07; Recommends approval of the sale of 81 Racine Street and 504 Broad Street with the inclusion of a twenty-foot wide easement along the Racine Street frontage of 81 Racine Street for pedestrian trail and landscaping development.

NO ACTION

2. 10/30/07; Recommends approval of the Special Use Permit for Express Convenience Center at 700 Third Street.

Moved by Ald. Merkes, seconded by Ald. Taylor to approve
Motion carried on roll call 8-0.

3. 10/30/07; Recommends approval of the amendments to 13-1-29, 13-1-30, 13-1-36, 13-1-37, 13-1-35, 13-1-27, 13-1-28 and 13-1-12 Relating to Site Plan Review and Design Standards for Building Alterations.

Acted in Item 10 B-I.

B. Administration Committee:

1. Authorization of additional commitment of \$3,000 for continued Davis and Kuelthau representation regarding the issue of Fox River PCB Contamination.

Moved by Ald. Wisneski, seconded by Ald. Eckstein to approve.
Motion carried on roll call 8-0.

2. Offer to Purchase, 81 Racine Street and 504 Broad Street, Dr. Vernon A. Larson of Riverside Building Inc., \$29,450.00.

Moved by Ald. Hendricks, seconded by Ald. Taylor to reject offer and direct Redevelopment Authority to review the Racine Street corridor to include 81 Racine St and 504 Broad Street.

CA/HRD Brandt explained this is not a valid motion.

Moved by Ald. Hendricks, seconded by Ald. Taylor to reject offer.
Motion carried on roll call 7-1. Ald. Pack – no.

3. Selection of brokerage firm for City-owned commercial properties and authorization to enter into listing contract.

Moved by Ald. Chase, seconded by Ald. Wisneski to select Bomier Properties for brokerage firm and enter into a listing contract for one year.

Discussion

Motion carried on roll call 8-0.

4. Accounts payable and payroll for 10/18/07-11/1/07 in the amount of \$1,086,629.55.

Moved by Ald. Wisneski, seconded by Ald. Pack to approve.
Motion carried on roll call 8-0.

5. Motion to have GM Doug Young, Menasha Utilities, attend Common Council Administration Committee Meetings. (Ald. Taylor)

Moved by Ald. Taylor, seconded by Ald. Hendricks to ask Utilities Commission to have GM Young be cordially invited to attend Common Council Administration Committee meetings.

Discussion

Motion failed on roll call 3-5.

Ald. Merkes, Taylor, Hendricks – yes.

Ald. Wisneski, Pack, Eckstein, Michalkiewicz, Chase – no.

6. Menasha Steam Plant Noise Issue (Ald. Taylor).

NO ACTION

7. Menasha Health Department Relocation (Ald. Taylor).

NO ACTION

8. Athletica Fitness LLC Health Club, Lake Park (Ald. Taylor).

NO ACTION

9. Schreiber-Anderson Report, Racine Street Corridor (Ald. Taylor).

NO ACTION

10. 81 Racine Street Property (Ald. Taylor).

NO ACTION

C. Board of Public Works:

1. Change Order - Badger Highways Company, Inc.; Kaukauna Street/High Street, Street Rehabilitation - Pulverize/Resurface Asphalt Pavement; Contract Unit No. 2007-01; ADD: \$7,037.75 (Change Order No. 1 and Final)

Moved by Ald. Pack, seconded by Ald. Merkes to approve
Motion carried on roll call 8-0.

2. Payment - Badger Highways, Inc.; Kaukauna Street/High Street Rehabilitation - Pulverize/Resurface Asphalt Pavement; Contract Unit No. 2007-01; \$9,733.85 (Payment No. 3 and Final)

Moved by Ald. Pack, seconded by Ald. Eckstein to approve
Motion carried on roll call 8-0.

3. Payment - Vinton Construction Co.; River Street Relocation Roadway Construction; Contract Unit No. 2006-06; \$1,000.00 (Payment No. 8 and Final)

Moved by Ald. Pack, seconded by Ald. Michalkiewicz to approve.
Motion carried on roll call 8-0.

4. Recommendation to Award - City of Menasha Wastewater Collection System Rehabilitation Improvements - Phase 3 Project; Contract E145-07-01A; Insituform Technologies USA of Lemont, IL; \$1,582, 723.00

Moved by Ald. Michalkiewicz, seconded by Ald. Eckstein to approve
Motion carried on roll call 8-0.

5. Recommendation to Award - City of Menasha Wastewater Collection System Rehabilitation Improvements - Phase 3 Project; Contract E145-07-01B; National Power Rodding Corporation of Chicago, IL; \$150,459.73

Moved by Ald. Pack, seconded by Ald. Taylor to approve
Motion carried on roll call 8-0.

6. Recommendation to Award - City of Menasha Wastewater Collection System Rehabilitation Improvements - Phase 3 Project; Contract E145-07-01C; DeGroot, Inc. of Green Bay, WI; \$212,233.57

Moved by Ald. Pack, seconded by Ald. Taylor to approve
Motion carried on roll call 8-0.

7. Recommendation to Award - City of Menasha Wastewater Collection System Rehabilitation Improvements - Phase 3 Project; Contract E145-07-01D; Infrastructure Technologies, Inc.; \$312,491.00

Moved by Ald. Pack, seconded by Ald. Taylor to approve.
Motion carried on roll call 8-0.

D. NEENAH-MENASHA FIRE RESCUE:

1. 10/23/07, N-M Fire Rescue, Finance and Personnel Committee; recommends approval to accept the DNR Grant and to fund the required 50% match of \$5,859.00 from Neenah-Menasha Fire Rescue's Public Safety Trust Fund, line item of fire equipment.

Moved by Ald. Wisneski, seconded by Ald. Pack to approve
Discussion
Motion carried on roll call 8-0.

2. 10/23/07, N-M Fire Rescue, Finance and Personnel Committee; recommends approval of Theda Care as the provider and double check the quote from them is for 68 department members and the physicals be performed in 2008 and paid for from the 2008 budget.

Moved by Ald. Wisneski, seconded by Ald. Pack to approve
Discussion
Moved by Ald. Wisneski, seconded by Ald. Pack to hold until next meeting.

10. ORDINANCES AND RESOLUTIONS

- A. O-29-07 - An ordinance relating to controlled intersections (Marquette St. and Elizabeth St.)

Moved by Ald. Hendricks, seconded by Ald. Pack to suspend the rules and take up O-29-07.
Motion carried on roll call 7-1. Ald. Merkes – no.

Moved by Ald. Hendricks, seconded by Ald. Pack to adopt O-29-07
Motion carried on roll call 8-0.

- B. O-30-07 - An ordinance relating to Building materials and Site Plan Review

Moved by Ald. Michalkiewicz, seconded by Ald. Eckstein to adopt O-30-07
Motion carried on roll call 7-1. Ald. Merkes – no.

- C. O-31-07 - An ordinance relating to R-3 multi-family, medium density residence district

Moved by Ald. Michalkiewicz, seconded by Ald. Eckstein to adopt O-31-07
Motion carried on roll call 7-1. Ald. Merkes – no.

- D. O-32-07 - An ordinance relating to R-4 multi-family, high density residence district

Moved by Ald. Michalkiewicz, seconded by Ald. Eckstein to adopt O-32-07
Motion carried on roll call 7-1. Ald. Merkes – no.

- E. O-33-07 - An ordinance relating to C-1 general commercial district
Moved by Ald. Michalkiewicz, seconded by Ald. Eckstein to adopt O-33-07
Motion carried on roll call 7-1. Ald. Merkes – no.
- F. O-34-07 - An ordinance relating to C-2 central business district
Moved by Ald. Michalkiewicz, seconded by Ald. Eckstein to adopt O-34-07
Motion carried on roll call 7-1. Ald. Merkes – no.
- G. O-35-07 - An ordinance relating to R-2A multi-family, zero lot line residence district
Moved by Ald. Michalkiewicz, seconded by Ald. Eckstein to adopt O-35-07
Motion carried on roll call 7-1. Ald. Merkes – no.
- H. O-36-07 - An ordinance relating to C-3 business and office district
Moved by Ald. Michalkiewicz, seconded by Ald. Eckstein to adopt O-36-07
Motion carried on roll call 7-1. Ald. Merkes – no.
- I. O-37-07 - An ordinance relating to C-4 business park district
Moved by Ald. Michalkiewicz, seconded by Ald. Eckstein to adopt O-37-07
Motion carried on roll call 7-1. Ald. Merkes – no.
- J. O-38-07 - An ordinance relating to the annexation of certain property to the City of Menasha, Wisconsin (Andrysczyk Annexation)
Moved by Ald. Wisneski, seconded by Ald. Michalkiewicz to suspend the rules and take up O-38-07
Motion carried on roll call 6-2.
Ald. Wisneski, Pack, Hendricks, Eckstein, Michalkiewicz, Chase – yes.
Ald. Merkes, Taylor – no.
Moved by Ald. Wisneski, seconded by Ald. Eckstein to adopt O-38-07
Motion carried on roll call 8-0.
- K. R-18-07 - Resolution approving the City of Menasha's liability insurance renewal through Cities and Villages Mutual Insurance Company (CVMIC)
Moved by Ald. Wisneski, seconded by Ald. Michalkiewicz to adopt R-18-07.
Motion carried on roll call 8-0.

11. HELD OVER BUSINESS

- A. Change Order-Argo Contracting, Inc.; Water Treatment Plant Modifications; Contract Unit No. M0002-940266.06; DEDUCT: \$18,249.80 (Change Order No. 1) (Held 10/15/07)
NO ACTION
- B. Change Order - CD Smith Construction, Inc.; Water Treatment Plant Modifications; Contract Unit No. M002-940266.02; ADD: \$20,263.00 (Change Order No. 11) (Held 10/15/07)
NO ACTION

12. COUNCIL DIRECTIVES

- A. Street Supt. Jacobson - Improper placement of garbage cans on property at Midway Suites (Midway Rd.) (Ald. Chase)
DPW Radtke reported a notice has been sent to the owner of the building requesting that all refuse containers be put behind the gated area.
CDD Keil reported his staff has contacted the owner on leaving the refuse containers out in the back. If he doesn't cooperate, a citation will need to be issued.

B. Comp Stoffel - Explanation of State budget affects on City budget (Ald. Merkes)

A correspondence from the Legislative Fiscal Bureau was in the packet. It is the Legislative Fiscal Bureau's estimate of how the proposed State budget would affect property tax bills statewide. The estimate of 2.9% in 2008 and .6% in 2009 of the rise in property taxes is only an estimate. It is not any allowable increase but what would happen regardless of what the City does.

C. Comp Stoffel - Headwaters Condominium back taxes (Ald. Taylor)

Headwaters Condominium is currently paid in full for all real estate taxes on properties in the City of Menasha. However, Winnebago County holds the lien on the seven units with delinquent real estate property taxes.

Request of Ald. Merkes to return to Items 11 A&B.

Moved by Ald. Merkes, seconded by Ald. Pack to approve change order for Argo Contracting, Inc.; Water Treatment Plant Modifications; Contract Unit No. M0002-940266.06; DEDUCT: \$18,249.80 (Change Order No. 1)

Discussion.

Motion carried on roll call 7-1. Ald. Taylor – no.

Moved by Ald. Merkes, seconded by Ald. Hendricks to approve change order for CD Smith Construction, Inc.; Water Treatment Plant Modifications; Contract Unit No. M002-940266.02; ADD: \$20,263.00 (Change Order No. 11)

Motion carried on roll call 7-1. Ald. Taylor – no.

13. CITIZEN REPRISE (People from the gallery to be heard; only pertaining to matters on the agenda - five (5) minute time limit for each person)

A. Mary Ann Mulvey, 275 Misty Meadows. Mayor can answer questions for Utilities Commission.

B. Mary Nebel, 713 1st Street. 81 Racine Street and 504 Broad Street listed as commercial property.

14. ADJOURNMENT

A. Moved by Ald. Michalkiewicz, seconded by Ald. Pack to adjourn at 9:15 p.m.
Motion carried on voice vote.

Respectfully submitted by Deborah A. Galeazzi, City Clerk

CITY OF MENASHA
Budget Review Session - Common Council
140 Main Street, 3rd Floor Council Chambers
November 1, 2007
MINUTES

1. CALL TO ORDER

- A. Meeting Called to Order by Mayor Laux at 5:00 p.m.

2. PLEDGE OF ALLEGIANCE

- A. Pledge of Allegiance

3. ROLL CALL/EXCUSED ABSENCES

- A. PRESENT: Ald. Merkes, Taylor, Wisneski, Pack, Hendricks, Michalkiewicz, Chase
UNEXCUSED: Ald. Eckstein
ALSO PRESENT: Mayor Laux, C/T Stoffel, IT Mgr. Lacey, IT Supv. James, PRD Tungate,
Pk Supv. Huss, DPW Radtke, PWS Jacobson, Asst. PWS Nieland, Clerk Galeazzi, the Press.
- B. People from the gallery to be heard; only pertaining to matters on the agenda - five (5) minute time limit for each person.
NONE

4. DISCUSSION

- A. Review of Information Technology Department Budget (pg. 26-33 of City Budget) (City Budget available on City Website).

Questions/Answers/Discussion.
- B. Review of Parks and Recreation Department Budget (pg 77-78, 120-141, 145-148, 162-167, 170 of City Budget) (City Budget available on City Website).

Questions/Answers/Discussion.
- C. Review of Public Works Department Budget (pg. 32-34, 79-112, 140, 142-143, 156-160, 173-181, 197-201, 203, 205-206 of City Budget) (City Budget available on City Website).

Questions/Answers/Discussion.

8:00 p.m. Mayor Laux left meeting. Ald. Michalkiewicz took over meeting.

Moved by Ald. Michalkiewicz, seconded by Ald. Taylor to increase account #31100-43-04-841-000 State Grant Highway Road Aids from \$640,250 to \$714,816.
Discussion.
Motion carried on roll call 7-0.
- D. Review of Finance/Mayor/Council Budgets (pg. 1-5, 20-25, 39, 14, 161, 167-169, 171, 182-196, 207-225 of City Budget) (City Budget available on City Website).

Due to the time, it was decided the review of Finance/Mayor/Council budgets be carried over to the November 8, 2007 Budget Review Session.

Items not on Agenda – Televising of Budget Review Sessions.

E.

Discussion ensued on continuing to televise the next two budget review sessions.
It was the consensus of the Council not to televise the next two budget review sessions.

5. CITIZEN REPRISE (People from the gallery to be heard; only pertaining to matters on the agenda - five (5) minute time limit for each person)

A. NONE

6. ADJOURNMENT

A. Moved by Ald. Pack, seconded by Ald. Merkes to adjourn at 8:50 p.m.
Motion carried on voice vote.

Respectfully submitted by Deborah A. Galeazzi, City Clerk

CITY OF MENASHA
Budget Review Session - Common Council
140 Main Street, 3rd Floor Council Chambers
November 8, 2007
MINUTES

1. CALL TO ORDER

- A. Meeting Called to Order by Mayor Laux at 5:00 p. m.

2. PLEDGE OF ALLEGIANCE

- A. Pledge of Allegiance

3. ROLL CALL/EXCUSED ABSENCES

- A. PRESENT: Ald. Michalkiewicz, Chase, Merkes, Taylor (5:05p.m.), Wisneski, Pack, Hendricks, Eckstein (5:03p.m.)
ALSO PRESENT: Mayor Laux, CA/HRD Brandt, C/T Stoffel, PHD Nett, SCD Bull, CDD Keil, LD Saecker, Clerk Galeazzi
- B. People from the gallery to be heard; only pertaining to matters on the agenda - five (5) minute time limit for each person.
NONE

4. DISCUSSION

- A. Review of Health Department/Senior Center Budgets (pg 53-54, 57-76 of Budget Workbook) (City Budget Workbook available on City Website).

Question/Answers/Discussion

Moved by Ald. Hendricks, seconded by Ald. Merkes to reduce account #53-09-102-337, Training-Registration, by \$2,000.
Motion carried on voice vote.

Moved by Ald. Taylor, seconded by Ald. Pack to reduce account #47-04-165-000 by \$1,000.
Motion carried on voice vote.

- B. Review of Attorney/Clerk/Personnel Budgets (pg 6-19, 31, 35-41, 201-204 of Budget Workbook) (City Budget Workbook available on City Website).

Question/Answers/Discussion

- C. Review of Community Development Budget (pg. 53, 105, 149-155 of Budget Workbook) (City Budget Workbook available on City Website).

Question/Answers/Discussion

Moved by Ald. Hendricks, seconded by Ald. Eckstein to increase account #56-03-202-320 by \$300.
Motion carried on voice vote.

Moved by Ald. Pack to reduce account #56-03-202-219 by \$6,000.
Motion withdrawn.

Moved by Ald. Merkes, seconded by Ald. Hendricks to reduce account #56-03-202-219 by \$3,375 and increase account #56-03-202-120 by \$3,375 for an additional intern.

- D. Review of Library Budget (pg. 113-119 of Budget Workbook) (City Budget Workbook available on City Website).

Question/Answers/Discussion

Moved by Ald. Pack to reduce account #55-06-101-314 by \$185,000.
Motion withdrawn.

Moved by Ald. Wisneski, seconded by Ald. Pack to reduce the Library budget by \$10,000.
Motion carried on roll call 6-2.
Ald. Wisneski, Pack, Hendricks, Eckstein, Michalkiewicz, Chase – yes.
Ald. Merkes, Taylor – no.

- E. Review of Finance/Mayor/Council Budgets (pg. 1-5, 20-25, 39, 14, 161, 167-169, 171, 182-196, 207-225 of Budget Workbook) (City Budget Workbook available on City Website).

Moved by Ald. Taylor, seconded by Ald. Pack to move this item to next Budget Review Session.

- F. Items not on Agenda – Televising of Budget Review Session.

Moved by Ald. Pack, seconded by Ald. Wisneski not to televise the next Budget Review Session.
Discussion.
Motion failed on roll call 2-6.
Ald. Pack, Chase – yes.
Ald. Merkes, Taylor, Wisneski, Hendricks, Eckstein, Michalkiewicz – no.

5. CITIZEN REPRISE (People from the gallery to be heard; only pertaining to matters on the agenda - five (5) minute time limit for each person)

- A. None

6. ADJOURNMENT

- A. Moved by Ald. Taylor, seconded by Ald. Eckstein to adjourn at 8:00 p.m.
Motion carried on voice vote.

Respectfully submitted by Deborah A. Galeazzi, City Clerk

CITY OF MENASHA
Budget Review Session - Common Council
140 Main Street, 3rd Floor Council Chambers
November 12, 2007
MINUTES

1. CALL TO ORDER

- A. Meeting Called to Order by Mayor Laux at 5:00 p. m.

2. PLEDGE OF ALLEGIANCE

- A. Pledge of Allegiance
B. Moment of Silence - Veterans Day

Mayor Laux asked for a moment of silence in observance of Veterans Day.

3. ROLL CALL/EXCUSED ABSENCES

- A. PRESENT: Ald. Chase, Merkes, Wisneski, Pack, Hendricks, Eckstein, Michalkiewicz.
UNEXCUSED: Ald. Taylor
ALSO PRESENT: Mayor Laux, C/T Stoffel, FC Vander Wyst, DFC DeLeeuw, PC Stanke, Lt. Bouchard, Lt. Brunn, Lt. Perschbacker, Clerk Galeazzi, the Press.
- B. People from the gallery to be heard; only pertaining to matters on the agenda - five (5) minute time limit for each person.
1. Stan Sevenich, 645 9th Street. Thanked C/T Stoffel for copy of budget book; Council violated open meetings law at the Nov. 8 Budget Review Session, voted on item not on agenda.

4. DISCUSSION

- A. Review of Fire Department Budget (pg. 49-52, 56 of Budget Workbook) (City Budget Workbook available on City Website)
- Questions/Answers/Discussion.
- Moved by Ald. Wisneski, seconded by Ald Pack to reduce account #52-05-701, Emergency Government by \$550.
- Discussion.
- Motion carried on roll call 6-1.
- Ald. Merkes, Wisneski, Pack, Hendricks, Michalkiewicz, Chase –yes
- Ald. Eckstein – no.
- B. Review of Police Department Budget (pg. 42-49, 56, 71, 172 of Budget Workbook) (City Budget Workbook available on City Website)
- Questions/Answers/Discussion.
- Moved by Ald. Wisneski, seconded by Ald. Merkes to reduce account #52-08-101-333, Travel Expense-Lodging/Meals, by \$7,500, reduce account #52-08-101-334, Travel Expense-Other Expense by \$1,400, and to increase account #52-08-101-338, Training-Lodging/Meals, by \$7,500.
- Motion carried on voice vote.
- Moved by Ald. Wisneski, seconded by Ald. Eckstein to remove \$2,000 from account #52-08-101-381, Motorized Equipment-Fuel.
- Motion carried on voice vote.

Moved by Ald. Pack, seconded by Ald. Michalkiewicz to reduce account #52-08-106-120 Community Service Office Wages-Straight Time by \$30,000, reduce account #52-08-106-121 Wages-Overtime by \$1,000, reduce account #52-08-101-124 Wages-Holiday by \$1,345, reduce account #52-08-106-151 Employer Contribution-Health by \$17,268, reduce account #52-08-106-153 Employer Contribution-Dental by \$1,025, reduce account #52-08-106-154 Employer Contribution-Retirement by \$5,175, reduce account #52-08-106-155 Employer Contribution-FICA by \$3,310, reduce account #52-08-106-193 Uniform/Clothing Allowance by \$200, and reduce account #52-08-106-300 Supplies by \$250.

Discussion.

Motion failed on roll call 1-6. Ald. Pack – yes.

Ald. Merkes, Wisneski, Hendricks, Eckstein, Michalkiewicz, Chase – no.

Moved by Ald. Eckstein, seconded by Ald. Hendricks to reduce account #52-08-101-295, Harley Davidson Lease by \$1,500.

Motion carried on roll call 7-0.

Moved by Ald. Eckstein, seconded by Ald. Pack to reduce account #52-08-101-315, digital camera, by \$500.

Discussion.

Motion failed on roll call 1-6. Ald. Pack – yes.

Ald. Merkes, Wisneski, Hendricks, Eckstein, Michalkiewicz, Chase – no.

Moved by Ald. Eckstein, seconded by Ald. Hendricks to reduce account #52-08-101-315, fax machine, by \$675.

Motion carried on roll call 7-0.

- C. Review Finance/Mayor/Council Budgets (pg. 1-5, 20-25, 39, 144, 161, 167-169, 171, 182-196, 207-225 of Budget Workbook) (City Budget Workbook available on City Website)

Questions/Answers/Discussion.

Moved by Ald. Merkes, seconded by Ald. Wisneski to direct CA/HRD Brandt to get proposal for budget figures for capital and operating costs for televising council meetings.

Motion carried on roll call 7-0.

Moved by Ald. Merkes, seconded by Ald. Hendricks to reduce account #51-04-101-140 Per Diem by \$720.

Motion carried on roll call 5-2.

Ald. Merkes, Wisneski, Pack, Hendricks, Michalkiewicz – yes.

Ald. Eckstein, Chase – no.

5. CITIZEN REPRISE (People from the gallery to be heard; only pertaining to matters on the agenda - five (5) minute time limit for each person)

- A. Public Comments on matters pertaining to the agenda.
None

6. ADJOURNMENT

- A. Moved by Ald. Pack, seconded by Ald. Eckstein to adjourn at 7:45 p.m.
Motion carried on voice vote.

Respectfully submitted by Deborah A. Galeazzi, City Clerk

CITY OF MENASHA
Administration Committee
140 Main Street, 3rd Floor Council Chambers
November 5, 2007
MINUTES

1. CALL TO ORDER

- A. Meeting Called to Order by Chairman Wisneski at 5:00 p.m.

2. ROLL CALL/EXCUSED ABSENCES

- A. PRESENT: Ald. Eckstein, Michalkiewicz, Chase, Merkes, Taylor (5:05pm), Wisneski, Pack, Hendricks
ALSO PRESENT: Mayor Laux, CA/HRD Brandt, Lt. Brunn, FC Vander Wyst, DPW Radtke, CDD Keil, C/T Stoffel, PRD Tungate, PHD Nett, Clerk Galeazzi, the Press.

3. MINUTES TO APPROVE-MINUTES & COMMUNICATIONS TO RECEIVE

Minutes to approve:

- A. Administration Committee Minutes, 10/15/07

Moved by Ald. Pack, seconded by Ald. Michalkiewicz to approve minutes.
Motion carried on voice vote.

4. DISCUSSION

- A. Isle of Valor Awards Presentation - VFW Nicolet Post 2126, Martenson and Eisele, Miron Construction.

Mayor Laux presented a plaque and thanked Tom Robinson representing VFW Nicolet Post 2126, Stan Martenson representing Martenson and Eisele and Dave Voss representing Miron Construction for their roles in the successful Isle of Valor project

- B. Update on Steam Utility Project (Discussion Only)

GM Doug Young reported staff has been working on the back-pressure turbine, financial modeling, budgeting, coal contracts, spare parts, new customers, rates, customer negotiations, strategic planning in addition to the daily operations of the plant. Utilities Commission is now meeting on a weekly basis to address the issues.

1) Dresser Rand Letter – Staff has been in contact with Dresser-Rand on the turbine generator. A time table has been set for completing key project milestones in improving the steam control system of the No. 5 turbine generator. Specific changes have been addressed by personnel of Dresser-Rand

2) Latest Financials – October's preliminary financial performance was very favorable. They indicate that plant operations are improving. The final figures will be available at the end of the month. The plant was fully operational during the month of October. No major expenses were incurred.

3) Joint Meeting of Common Council and Utilities Commission – a joint meeting is scheduled for December 3, 2007

4) Noise issue at Steam Plant – Dick Sturm, Steam Plant Manager, submitted a letter giving a history of the noise issue. Staff is working with the vendor to resolve the issue. The resolution could be costly and take longer than expected to resolve.

- C. Authorization of additional commitment of \$3,000 for continued Davis and Kuelthau representation regarding the issue of Fox River PCB contamination.

CA/HRD Brandt explained this is in addition to the \$12,000 previously approved for a total of \$15,000. This is the same amount as City of Neenah.

- D. R-18-07 Resolution Approving the City of Menasha's Liability Insurance Renewal Through Cities and Villages Mutual Insurance Company (CVMIC)

CA Brandt explained this will continue our commitment to CVMIC for 2009-2010. Since going with CVMIC for our liability insurance in 1988, the City has saved over \$3,000,000 in premiums.

- E. Offer to Purchase, 81 Racine Street and 504 Broad Street, Dr. Vernon A. Larsen of Riverside Building Inc., \$29,450.00

Discussion ensued on the ability to sell this to a private party; if it can be used as a commercial site; how it will fit in with the Schreiber-Anderson Report; the appraised value/assessed value of the parcel; eminent domain proceedings; Plan Commission and RDA involvement in developing area.

Ald. Taylor referred to when 87 Racine Street was purchased by the Barth Family.
Point of Order by Ald. Michalkiewicz – getting off topic.
Point of Order well taken by Chairman Wisneski.

Ald. Taylor referred to how the Barth Family obtained 87 Racine Street.
Point of Order by Ald. Pack – doesn't pertain to item on the agenda.
Point of Order well taken by Chairman Wisneski.

- F. Selection of brokerage firm for City-owned commercial properties and authorization to enter into listing contract.

CDD Keil explained he has no recommendation as all proposals received are from well qualified brokerage firms.

- G. O-29-07 An Ordinance Relating to Controlled Intersections (Marquette St. and Elizabeth St.)

No Questions or Discussion

- H. O-30-07 An Ordinance Relating to Building Materials and Site Plan Review

CA/HRD Brandt explained Ordinance O-30-07 to O-37-07 cover the changes recommend by the Plan Commission on building materials and site plan review for the different zonings.

6:55 p.m. - RECESSED FOR PUBLIC HEARING

6:56 p.m. – RECONVENED

- I. O-31-07 An Ordinance Relating to R-3 Multi-Family, Medium Density Residency District

No Questions or Discussion

- J. O-32-07 An Ordinance Relating to R-4 Multi-Family, High Density Residence District

No Questions or Discussion

- K. O-33-07 An Ordinance Relating to C-1 General Commercial District

No Questions or Discussion

- L. O-34-07 An Ordinance Relating to C-2 Central Business District

No Questions or Discussion

- M. O-35-07 An Ordinance Relating to R-2A Multi-Family, Zero Lot Line Residence District

No Questions or Discussion

N. O-36-07 An Ordinance Relating to C-3 Business and Office District

No Questions or Discussion

O. O-37-07 An Ordinance Relating to C-4 Business Park District

No Questions or Discussion

P. O-38-07 An Ordinance to the Annexation of Certain Property to the City of Menasha, Wisconsin (Andrysczyk Annexation)

CA/HRD Brandt supports this annexation.

Q. Accounts payable and payroll for 10/18/07-11/1/07 in the amount of \$1,086,629.55.

Ck. #14497-UW Fox Valley-\$400. – videotaping of public service announcement

Ck. #14555-Bubrick's-\$519.31 – dry erase board for Fire Dept training room/Station 35

Ck. #14574-Larson Engineering-\$95. – foundation inspection of property on Natures Way

Ck. #14594-Raiserite Concrete-\$7,190. – mud jacking of sidewalks

Ck. #14518-Elan Cardmember-\$184. – Senior Center trip to Door County

R. Motion to have GM Doug Young, Menasha Utilities, attend Common Council Administration Committee Meetings. (Ald. Taylor)

Ald. Taylor requested this item to have updates on the Steam Plant project.

CA/HRD Brandt explained the Council has no authority to require GM Young to attend meetings. GM Young reports to the Utilities Commission. Council can ask Utilities Commission to ask GM Young to attend meetings.

S. Menasha Steam Plant Noise Issue. (Ald. Taylor).

Ald. Taylor requested this item in case some type of action would be required to resolve the noise issue. GM Young had reported on what the Steam Plant staff is doing to resolve the issue.

T. Menasha Health Department Relocation (Ald. Taylor).

Ald. Taylor requested this item to get information.

CCD Keil reported staff has been looking into relocating the Health Dept. as the owner of the building next to the Health Dept, the Wreath Factory, is interested in expanding the business. Staff has looked at a few locations, but have nothing to bring forward to the Council at this time.

U. Athletica Fitness LLC Health Club, Lake Park. (Ald. Taylor)

Ald. Taylor requested this item to inquire on who is maintaining the building.

CA/HRD Brandt reported the receiver is responsible for the building and keeping it maintained.

V. Schreiber-Anderson Report, Racine Street Corridor. (Ald. Taylor)

Ald. Taylor requested this item to discuss this report with the Offer to Purchase of 81 Racine Street and 504 Broad Street.

W. 81 Racine Street Property. (Ald. Taylor)

Ald. Taylor requested this item in case any special action would be needed on this property.

5. Moved by Ald. Merkes, seconded by Ald. Michalkiewicz to adjourn at 7:25 p.m.
Motion carried on voice vote.

Respectfully submitted by Deborah A. Galeazzi, City Clerk

CITY OF MENASHA
Board of Public Works
Third Floor Council Chambers, 140 Main Street, Menasha
November 5, 2007
MINUTES

1. CALL TO ORDER

- A. Meeting Called to Order by Chairman Pack at 7:30 p.m.

2. ROLL CALL/EXCUSED ABSENCES

- A. PRESENT: Ald. Eckstein, Michalkiewicz, Chase, Merkes, Taylor, Wisneski, Pack, Hendricks
ALSO PRESENT: Mayor Laux, CA/HRD Brandt, Lt. Brunn, FC VanderWyst, DPW Radtke,
CDD Keil, C/T Stoffel, PRD Tungate, Clerk Galeazzi, the Press

3. MINUTES TO APPROVE-MINUTES & COMMUNICATIONS TO RECEIVE

- A. October 15, 2007

Moved by Ald. Wisneski, seconded by Ald. Michalkiewicz to approve minutes.
Motion carried on voice vote.

4. DISCUSSION

- A. Change Order - Badger Highways Company, Inc.; Kaukauna Street/High Street, Street Rehabilitation - Pulverize/Resurface Asphalt Pavement; Contract Unit No. 2007-01; ADD: \$7,037.75 (Change Order No. 1 and Final)

No Questions or Discussion.
- B. Payment - Badger Highways, Inc.; Kaukauna Street/High Street Rehabilitation - Pulverize/Resurface Asphalt Pavement; Contract Unit No. 2007-01; \$9,733.85 (Payment No. 3 and Final)

No Questions or Discussion.
- C. Payment - Vinton Construction Co.; River Street Relocation Roadway Construction; Contract Unit No. 2006-06; \$1,000.00 (Payment No. 8 and Final)

This amount was withheld from the final payment for completion of miscellaneous items.
- D. Recommendation to Award - City of Menasha Wastewater Collection System Rehabilitation Improvements - Phase 3 Project; Contract E145-07-01A; Insituform Technologies USA of Lemont, IL; \$1,582, 723.00 (Ald. Michalkiewicz - Motion to Remove from Table)

Moved by Ald. Michalkiewicz, seconded by Ald. Wisneski to remove from the table.
Motion carried on roll call 8-0.

No Questions or Discussion.

- E. Recommendation to Award - City of Menasha Wastewater Collection System Rehabilitation Improvements - Phase 3 Project; Contract E145-07-01B; National Power Rodding Corporation of Chicago, IL; \$150,459.73 (Ald. Michalkiewicz - Motion to Remove from Table)

Moved by Ald. Michalkiewicz, seconded by Ald. Chase to remove from the table.
Motion carried on roll call 8-0.

No Questions or Discussion.

- F. Recommendation to Award - City of Menasha Wastewater Collection System Rehabilitation Improvements - Phase 3 Project; Contract E145-07-01C; DeGroot, Inc. of Green Bay, WI; \$212,233.57 (Ald. Michalkiewicz - Motion to Remove from Table)

Moved by Ald. Michalkiewicz, seconded by Ald. Eckstein to remove from the table.
Motion carried on roll call 8-0.

No Questions or Discussion.

- G. Recommendation to Award - City of Menasha Wastewater Collection System Rehabilitation Improvements - Phase 3 Project; Contract E145-07-01D; Infrastructure Technologies, Inc.; \$312,491.00 (Ald. Michalkiewicz - Motion to Remove from Table)

Moved by Ald. Michalkiewicz, seconded by Ald. Eckstein to remove from the table.
Motion carried on roll call 8-0.

No Questions or Discussion.

5. ADJOURNMENT

- A. Moved by Ald. Michalkiewicz, seconded by Ald. Eckstein to adjourn at 7:35 p.m.
Motion carried on voice vote.

Respectfully submitted by Deborah A. Galeazzi, City Clerk

CITY OF MENASHA
Personnel Committee
140 Main Street, 3rd Floor Council Chambers
October 15, 2007
Minutes

1. CALL TO ORDER

- A. Meeting Called to Order by Vice-Chairman Eckstein at 5:45 p.m.

2. ROLL CALL/EXCUSED ABSENCES

- A. PRESENT: Ald. Hendricks, Eckstein, Chase, Merkes, Taylor, Wisneski, Pack, Mayor Laux.
EXCUSED: Ald. Michalkiewicz
ALSO PRESENT: CA/HRD Brandt, Lt. Bouchard, DPW Radtke, CDD Keil, C/T Stoffel,
PHD Nett, Clerk Galeazzi, and the Press.

3. MINUTES TO APPROVE-MINUTES & COMMUNICATIONS TO RECEIVE

Minutes to approve:

- A. Personnel Committee Minutes, 4/17/07

Moved by Ald. Pack, seconded by Ald. Hendricks to approve minutes.
Motion carried on voice vote.

4. DISCUSSION

- A. Discussion regarding Health, Dental, Vision Rates for 2008.

CA/HRD Brandt explained the new rates for health, dental and vision insurance. No action needs to be taken on the health and dental rates as this is informational only.

- B. Accept Vision Insurance Plan of America 3 Year Renewal.

CA/HRD Brandt explained this is a 3 year renewal with no change in the premiums. This is a benefit offered to City employees.

Moved by Ald. Pack, seconded by Ald. Merkes to recommend to Common Council to accept Vision Insurance Plan of America 3 year renewal.

Motion carried on roll call 8-0.

5. ADJOURNMENT

- A. Moved by Ald. Wisneski, seconded by Ald. Hendricks to adjourn at 5:59 p.m.
Motion carried on voice vote

Respectfully submitted by Deborah A. Galeazzi, City Clerk

CITY OF MENASHA
PUBLIC HEARING
Council Chambers, 3rd Floor
140 Main Street, Menasha
November 5, 2007
MINUTES

- I. Public Hearing called to order by Mayor Laux at 6:55 p.m.
Present: Ald. Eckstein, Michalkiewicz, Chase, Merkes, Taylor, Wisneski, Pack, Hendricks
Also Present: Mayor Laux, CA/HRD Brandt, Lt. Brunn, FC VanderWyst, DPW Radtke,
CDD Keil, C/T Stoffel, PHD Nett, PRD Tungate, Clerk Galeazzi, the Press.

Proposed changes to zoning Ordinance concerning Site Plan Review Requirements.

People Speaking: No One

People Signing: No One

- II. Mayor Laux called the hearing to a close at 6:56 p.m.

Deborah A. Galeazzi
City Clerk

CITY OF MENASHA
Plan Commission
Council Chambers, 3rd Floor City Hall – 140 Main Street
November 6, 2007
DRAFT MINUTES

I. CALL TO ORDER

- A. Mayor Laux called the meeting to order at 3:34 p.m.

II. ROLL CALL/EXCUSED ABSENCES

- A. PLAN COMMISSION MEMBERS PRESENT: Mayor Laux, DPW Radtke, Ald. Merkes, and Commissioners Sturm, Sanders and Schmidt.

PLAN COMMISSION MEMBERS EXCUSED: Commissioner Cruickshank.

OTHERS PRESENT: CDD Keil, AP Beckendorf, Bob Acord, Ald. Eric Hendricks, Tom Baron, and Pastor Mike Huff.

III. MINTUES TO APPROVE-MINUTES & COMMUNICATES TO RECEIVE

- A. **Minutes to approve:**

Comm. Sturm made a motion to approve the minutes of the October 30, 2007 Plan Commission Meeting. The motion was seconded by Comm. Schmidt. The motion carried.

IV. PUBLIC COMMENTS ON ANY MATTER OF CONCERN TO THE CITY

Five (5) minute time limit for each person

- A. No one spoke.

V. DISCUSSION

VI. ACTION ITEMS

- A. **Site Plan Review – Crossroads Foursquare Church – 1209 London Street**

- Bob Acord, project architect, described the proposed changes and displayed color and brick samples.
- Commissioners discussed the following:
 - The use of different color(s) or different materials to break-up long expanses of wall
 - Minimum guarantee of the siding
 - Staining the brick on the back of the building to match the front
 - Transitional area requirements
 - Drainage
 - Dumpster enclosure

Comm. Sturm made and DPW Radtke seconded a motion to approve the site plan for 1209 London Street with the condition that a plan denoting drainage, dumpster enclosure detail and location, and building elevations is brought back for staff approval. The siding must also have a minimum 30-year guarantee. The motion carried.

- B. **Design Concept – 81-87 Racine Street**

- CDD Keil described the process leading to the proposal before the Plan Commission. Staff is operating under direction from the council, expressed some time ago, which indicated the properties were to be used for greenspace and/or parking.
- Commissioners discussed the following:
 - Staying mindful of following a narrow focus based on interests from only a small part of the community.
 - The proposed uses are consistent with both the proposed Comprehensive Land Use Plan and the Schreiber-Anderson Third/Racine Streets Corridor plan.
 - The unique-to-Menasha park elements.

- Clarification of the process that has led to this meeting.
- Exploring other options for the space.

DPW Radtke made and Comm. Sanders seconded a motion to recommend approval of the design concept for 81 and 87 Racine Street and 504 Broad Street based on the following findings:

- The design concept is consistent with the proposed Comprehensive Land Use Plan.
- The design concept is consistent with the Schreiber-Anderson Third/Racine Street Corridor plan.
- The design concept is consistent with past council direction regarding the properties at 81 & 87 Racine Street and 504 Broad Street.

The motion carried on a 6-0 roll call vote.

VII. ADJOURNMENT

- A. Comm. Schmidt made a motion to adjourn at 4:25 p.m. DPW Radtke seconded the motion. The motion carried.

DENTAL INSURANCE ADJUSTMENT

Update: 11/09/07

Prepared by: Finance Department

ACCOUNT #	ACCOUNT NAME	5% ORIGINAL BUDGET	2.5% ADJUSTED BUDGET	
51-01-102	MAYOR	\$ 1,025	\$ 943	
51-02-103	ATTORNEY	1,024	943	
51-02-104	CLERK	1,983	1,887	
51-02-105	PERSONNEL	2,048	1,887	
51-04-106	TREASURER	3,782	3,615	
51-04-109	INFORMATION TEC	754	720	
51-10-115	MUNI BUILDINGS	730	1,303	
51-02-118	SAFETY COMM	172	149	
52-08-101	POLICE DEPT	35,580	30,326	
52-08-106	COMM SERVICE O	1,025	1,000	
52-09-307	WGHTS & MEAS	205	178	
53-09-102	HEALTH	5,257	4,554	
53-09-103	ENV HEALTH	614	532	
53-09-104	HEALTH/60+	287	249	
53-09-212	SENIOR CENTER	2,048	1,887	
53-07-401	CEMETERY	160	142	
54-10-111	ENGINEERING	4,860	4,494	
54-10-121	REPL ST & ALLEY	4,040	3,672	
54-10-123	STREEN CLEAN	510	464	
54-10-124	REM SNOW & ICE	2,500	2,272	
54-10-131	ST SIGNS/MARK	1,225	1,113	
54-10-133	SIDEWALKS	355	323	
54-10-134	STORM SEWERS	780	709	
54-10-202	PARKING LOTS	200	182	
54-10-304	REFUSE	4,135	3,758	
54-10-502	WEEDS	245	223	
55-06-101	LIBRARY	9,084	9,268	
55-07-201	RECREATION	1,503	1,472	
55-07-202	PARKS	7,502	6,675	
55-10-215	LIFT BRIDGES	2,475	3,198	
56-07-101	FORESTRY	262	233	
56-03-202	COM DEVELOP	2,570	2,359	
66-54-10-307	RECYCLING - SW	1,180	1,073	
66-54-10-308	RECYCLING - YW	2,560	2,327	
66-54-10-309	RECYCLING - AP	245	223	
		\$ 102,925	\$ 94,353	\$ 8,572
47-07-165-000	HEALTH REVENUE	\$ 245,818	\$ 245,466	
47-04-978-000	STATE GOV-BRIDG	132,020	132,743	
		\$ 377,838	\$ 378,209	\$ 371
01-54-10-301	SAN SEWER	\$ 1,250	\$ 1,136	
07-55-07-205	MARINA	308	274	
31-54-10-149	GARAGE	4,650	4,227	
		\$ 6,208	\$ 5,637	\$ 571

HEALTH INSURANCE ADJUSTMENT

Update: 11/09/07

Prepared by: Finance Department

ACCOUNT #	ACCOUNT NAME	8% ORIGINAL BUDGET	6.5% ADJUSTED BUDGET	
51-01-102	MAYOR	\$ 9,000	\$ 8,835	
51-02-103	ATTORNEY	15,725	15,507	
51-02-104	CLERK	31,440	31,014	
51-02-105	PERSONNEL	32,170	25,573	
51-04-106	TREASURER	48,241	46,684	
51-04-109	INFORMATION TEC	9,722	9,587	
51-10-115	MUNI BUILDINGS	10,230	8,670	
51-02-118	SAFETY COMM	814	818	
52-08-101	POLICE DEPT	452,518	401,891	
52-08-106	COMM SERVICE O	17,268	15,507	
52-09-307	WGHTS & MEAS	1,792	1,800	
53-09-102	HEALTH	56,571	56,828	
53-09-103	ENV HEALTH	5,375	5,399	
53-09-104	HEALTH/60+	4,403	4,423	
53-09-212	SENIOR CENTER	20,416	20,133	
53-07-401	CEMETERY	3,931	3,220	
54-10-111	ENGINEERING	67,105	66,174	
54-10-121	REPL ST & ALLEY	49,760	48,060	
54-10-123	STREEN CLEAN	6,315	6,099	
54-10-124	REM SNOW & ICE	30,785	29,733	
54-10-131	ST SIGNS/MARK	15,080	14,565	
54-10-133	SIDEWALKS	4,345	4,197	
54-10-134	STORM SEWERS	9,580	9,253	
54-10-202	PARKING LOTS	2,435	2,352	
54-10-304	REFUSE	50,915	49,176	
54-10-502	WEEDS	3,000	2,898	
55-06-101	LIBRARY	110,621	104,175	
55-07-201	RECREATION	25,131	24,782	
55-07-202	PARKS	113,209	92,734	
55-10-215	LIFT BRIDGES	16,410	25,397	
56-07-101	FORESTRY	4,718	3,865	
56-03-202	COM DEVELOP	24,074	17,820	
66-54-10-307	RECYCLING - SW	14,510	14,014	
66-54-10-308	RECYCLING - YW	31,535	30,458	
66-54-10-309	RECYCLING - AP	3,025	2,922	
		\$ 1,302,169	\$ 1,204,563	\$ 97,606
47-07-165-000	HEALTH REVENUE	\$ 245,818	\$ 245,947	
47-04-978-000	STATE GOV-BRIDG	132,020	141,007	
		\$ 377,838	\$ 386,954	\$ 9,116
01-54-10-301	SAN SEWER	\$ 15,420	\$ 14,893	
07-55-07-205	MARINA	4,718	3,865	
31-54-10-149	GARAGE	57,250	55,294	
		\$ 77,388	\$ 74,052	\$ 3,336

Health Department Revenues and Expenditures

Update: 11/09/07

Compiled by: City Comptroller/Treasurer

Director of Public Health

	ACTUAL	BUDGET
<u>EXPENDITURES</u>	<u>2006</u>	<u>2007</u>
52-09-307 Sealer of Wgths & Measures	\$ 16,998	\$ 16,541
53-09-102 Health Department	398,081	434,068
53-09-103 Environmental Health	58,565	55,437
53-09-104 Health Screen/60+	21,454	22,950
53-09-105 Prevention Program	5,983	5,019
53-09-106 Radon Grant	2,925	-
53-09-107 School Health Aides	24,266	26,380
53-09-108 Dental Sealant Program	6,084	7,650
53-09-109 Tobacco Grant-Melvin Fund	-	-
53-09-110 Tobacco Grant-Consolidated	-	-
53-09-111 Immunization Outreach	-	-
53-09-112 Lead Prevention Grant	2,626	3,188
53-09-113 Immunization Grant	9,476	16,428
53-09-114 Maternal Child Health	8,264	4,994
53-09-116 Tobacco Grant-Winn County	-	-
53-09-117 March of Dimes Grant	-	-
53-09-118 Bio-Terrorism	22,438	14,423
53-09-119 Twenty Four/Seven Coverage	740	-
	<u>\$ 577,900</u>	<u>\$ 607,078</u>

<u>REVENUES</u>		
43-04-965 St Aid - Public Health	\$ 104,806	\$ 45,468
44-04-104 Restaurant Licenses	17,129	16,000
44-04-112 Wgths & Meas Licenses	6,486	16,500
44-04-113 Retail Food Licenses	4,694	4,500
44-04-115 Tattoo Parlor Licenses	338	375
44-04-321 Temporary Restaurant Permit	930	650
44-04-325 Swimming Pool Permits	-	200
46-04-165 Public Health Department	1,897	2,000
47-04-165 Local Gov-Public Health	226,492	243,545
47-06-965 State - Public Health	13,106	10,000
	<u>\$ 375,878</u>	<u>\$ 339,238</u>

Expenditures over Revenues	\$ 202,022	\$ 267,840
----------------------------	------------	------------

Percent of Revenues compared to Expenditures	65%	56%
---	-----	-----

A report with actual amounts for 2007 will be provided as soon as numbers for 2007 are finalized. Director Nett believes that 2007 will end up with actual numbers closer to the 65% ratio.

Actual tax levy impact is not easily determined because the City receives Shared Revenue which is a general aid and some of those dollars would be available to reduce the cost of the Health Department.

CITY OF MENASHA

2008 OPERATIONS

AND CAPITAL

BUDGET SUMMARY

CITY OF MENASHA
2008 BUDGET
TAX LEVY AND TAX RATE DISTRIBUTION

TAX RATE PER \$1,000 OF ASSESSED VALUATION

<u>TAXING MUNICIPALITY</u>	<u>TAX LEVY</u>	<u>N-M SAN. DIST.</u>		<u>TOWN SAN. DIST.</u>		<u>WAVERLY SAN.</u>		<u>WAVERLY SAN.</u>	
		<u>MENASHA SCHL.</u>	<u>WINNEBAGO</u>	<u>MENASHA SCHL.</u>	<u>WINNEBAGO</u>	<u>MENASHA SCHL.</u>	<u>WINNEBAGO</u>	<u>APPLETON SCHL.</u>	<u>CALUMET</u>
City Operations/T.I.F. Dist.	\$ 10,087,086	\$	9.3736	\$	9.3736	\$	9.6793	\$	9.6793
Waverly Sanitary Dist.	95,364	-	-	-	-	-	0.6196	-	0.6196
Menasha Joint School Dist.	6,895,757	8.3524	8.3524	8.3524	8.3524	8.6248	-	-	-
Appleton Area School Dist.	848,363	-	-	-	-	-	-	8.2384	-
Fox Valley VTAE School Dist.	1,575,355	1.6904	1.6904	1.6904	1.6904	1.7455	-	1.7455	-
Winnebago County	4,272,293	5.5100	5.5100	5.5100	5.5100	-	-	-	-
Calumet County	642,870	-	-	-	-	4.2398	-	4.2398	-
State of Wisconsin	169,478	0.1718	0.1718	0.1718	0.1718	0.1774	-	0.1774	-
Gross Tax Levy/Rate	\$ 24,586,566	\$	25.0982	\$	25.0982	\$	25.0864	\$	24.7000
State Credit	\$ -	\$ -	-	\$ -	-	\$ -	-	\$ -	-
Net Tax Levy/Rate	\$ 24,586,566	\$	25.0982	\$	25.0982	\$	25.0864	\$	24.7000

TAX LEVY AND TAX RATE DISTRIBUTION
BY COUNTY

	<u>EQUALIZED VALUE</u>	<u>% OF TOTAL</u>
\$	837,076,100	83.82%
	161,577,900	16.18%
TOTAL	\$ 998,654,000	100.00%

CITY IN WINNEBAGO COUNTY
CITY IN CALUMET COUNTY

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**CITY OF MENASHA
2008 BUDGET
COMPARISON OF PROPERTY TAX LEVIES**

TAXING MUNICIPALITY	2005* LEVY	2006* LEVY	2007* LEVY	2008* LEVY	2008 Compared to 2007 CHANGE IN	
					LEVY \$	LEVY %
City of Menasha Operations	\$ 7,726,146	\$ 8,322,095	\$ 8,652,399	\$ 8,735,576	\$ 83,177	1.0%
Waverly Sanitary District	54,145	62,045	80,746	95,364	\$ 14,618	18.1%
City of Menasha T.I.F. District	897,464	1,036,557	1,122,766	1,351,510	\$ 228,744	20.4%
Menasha Joint School District	7,420,661	6,980,654	7,255,906	6,895,757	\$ -	-5.0%
Appleton Area School District	496,808	571,886	777,601	848,363	\$ 70,762	9.1%
Fox Valley VTAE School District	1,451,594	1,480,640	1,531,188	1,575,355	\$ 44,167	2.9%
Winnebago County	3,984,965	4,037,419	4,102,958	4,272,293	\$ 169,335	4.1%
Calumet County	455,408	459,775	599,025	642,870	\$ 43,845	7.3%
State of Wisconsin	175,495	171,106	168,239	169,478	\$ 1,239	0.7%
GROSS TAX LEVY	\$ 22,662,686	\$ 23,122,177	\$ 24,290,828	\$ 24,586,566	\$ 295,738	1.2%

ASSESSED VALUATION	\$ 714,896,500	**	\$ 942,644,500	**	\$ 958,603,800	**	\$ 981,296,200	**
EQUALIZED VALUATION	\$ 877,473,100	**	\$ 912,179,300	**	\$ 958,020,000	**	\$ 998,654,000	**

OUTSTANDING GENERAL OBLIGATION DEBT AT 1/1

AMOUNT	\$ 35,674,072	\$ 45,062,381	\$ 47,289,705	\$ 46,412,334
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% OF LIMIT (5% OF EQUALIZED VALUATION)	81.31%	98.80%	98.72%	92.95%
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*YEAR REFERS TO PERIOD WHEN TAXES WILL BE SPENT ON SERVICES

**INCLUDES T.I.F. DISTRICT

CITY OF MENASHA
2008 BUDGET
REVENUE & EXPENSE DETAIL COMPARISON
GENERAL, DEBT SERVICE & PROP TAX SUBSIDIZED SPECIAL REVENUE FUNDS

<u>REVENUE</u>	<u>2007 BUDGET</u>	<u>2008 BUDGET</u>	<u>\$ CHANGE</u>	<u>% CHANGE</u>
	<u>AMENDED</u>	<u>ADOPTED</u>		
Taxes (Other Than Property)	\$1,098,813	\$1,092,991	(\$5,822)	-0.53%
Special Assessments	101,000	156,000	55,000	54.46%
Intergovernmental Revenue	5,253,861	5,284,527	30,666	0.58%
License & Permits	570,475	380,880	(189,595)	-33.23%
Fines, Forfeits & Penalty	175,000	160,000	(15,000)	-8.57%
Public Charges for Services	377,300	351,250	(26,050)	-6.90%
Intergovernmental Charges	1,176,847	1,188,407	11,560	0.98%
Miscellaneous Revenues	403,000	1,227,500	824,500	204.59%
Other Financing Sources	13,296,312	3,452,729	(9,843,583)	-74.03%
Application of Fund Balance	1,812,500	1,450,000	(362,500)	-20.00%
TOTAL REVENUE	\$24,265,108	\$14,744,284	-\$9,520,824	-39.24%

<u>EXPENDITURES</u>				
General Government	\$1,618,140	\$1,728,977	\$110,837	6.85%
Public Safety	7,478,534	7,265,018	(213,516)	-2.86%
Health & Human Services	752,189	770,748	18,559	2.47%
Public Works	4,086,559	4,164,949	78,390	1.92%
Culture, Recreation & Education	3,018,698	3,032,595	13,897	0.46%
Conservation and Development	307,551	315,181	7,630	2.48%
Debt Service	15,405,836	6,202,392	(9,203,444)	-59.74%
Other Financing Uses	250,000.00	-	(250,000)	0.00%

TOTAL EXPENDITURES **\$32,917,507** **\$23,479,860** **-\$9,437,647** **-28.67%**

BALANCE - TAX LEVY **\$8,652,399** **\$8,735,576** **\$83,177** **0.96%**

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CITY OF MENASHA
2008 BUDGET
ESTIMATED GENERAL FUND BALANCE
12/31/07

UNDESIGNATED GENERAL FUND BALANCE 1/1/07	\$ 2,245,355
CONTINUING APPROPRIATIONS	143,347
RESERVE FOR NONCURRENT ASSETS	505,140
DESIGNATED FOR 2007 BUDGET	<u>1,362,500</u>
TOTAL GENERAL FUND EQUITY 01/01/07	\$ 4,256,342
ESTIMATE OF REVENUES OVER EXPENDITURES 12/31/07	- 566,182
CONTINUING APPROPRIATIONS	- 125,000
LESS RESERVE FOR NONCURRENT ASSETS	- 450,000
LESS RESERVE FOR 2008 BUDGET	<u>- 1,450,000</u>
ESTIMATED UNDESIGNATED GENERAL FUND BALANCE 12/31/07	<u>\$ 1,665,160</u>

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November 15, 2007

Mr. Jeff Brandt
City of Menasha
140 Main Street
Menasha, WI 54952

RE: Marsh & AIG Settlement
& 2007 EPLI Rebate

Dear Jeff:

Enclosed please find a check made payable to City of Menasha for the following:

2007 EPLI Rebate:	\$1,433.31
Marsh Settlement (3 rd Installment):	\$77.62
AIG Settlement:	\$622.03

The EPLI rebate amount reflects a return premium for the City of Menasha's Group Purchase Program of the Employment Practices Liability Insurance Program from Lexington Insurance Company. This return premium reduces the cost of the Group Purchase Program by over 20%. We feel this program provides our members with employment practices liability protection on a very cost-effective basis.

The Marsh and AIG amounts reflect the City of Menasha's portion of their respective settlements. We anticipate a fourth and final installment from Marsh in late 2008.

If you have any questions about the coverage, rebate or settlement, please don't hesitate to call me.

Yours very cordially,

CITIES AND VILLAGES MUTUAL INSURANCE CO.

A handwritten signature in cursive script that reads 'Michael L. DeMoss'.

Michael L. DeMoss
Executive Director

MLD:scp

Enc.

H/Admin/EPLI/2007RebateMergedLetter

Costs of Procurement and Demolition of 81 & 87 Racine Street / 504 Broad Street

Update: 11/13/07

Compiled by: City Comptroller/Treasurer

Director of Community Development

<u>Vendor</u>	<u>Amount</u>	<u>Fund-Year</u>	<u>Fund-Year</u>
Absolute Title Services (504 Broad Street)	\$ 78,908.70	31208-05	
Carol Barth (87 Racine Street)	81,737.61	31484-05	
City Force Account	4,512.85	31484-06	
City of Menasha Treasurer	4,444.84	31208-05	31484-06
Donald Hietpas & Sons	3,363.80	31484-06	
Environet Inc. of Wisconsin	3,250.00	31208-05	
Environmental Services Plus	1,326.00	31484-06	
Estate of Edward Zeil (81 Racine Street)	67,960.82	31484-05	31484-06
Konicek Environmental Consulting, LLC	134,593.80	31100-07	
Martenson & Eisele	2,590.50	31456-05	
McClone Appraisal Services	2,700.00	31456-04	
Menasha Utilities	53.66	31208-05	
Public Works Facility- Vehicle Usage	10,886.44	31484-06	
Steiro Appraisal Services	2,000.00	31456-05	
Trico Excavating	7,000.00	31208-05	
WE Energies	320.67	31484-06	
Winnebago County Treasurer	5,088.47	31484-06	
Winnebago County Register of Deeds	225.50	31484-06	
Wisconsin Department of Natural Resources	410.00	31208-05	31484-06
Wisconsin State Laboratory of Hygiene	150.00	31208-05	
Gross Total City Cost	\$ 411,523.66		
Expected Reimbursement	(134,593.80)		
Net Total City Cost	\$ 276,929.86		

City Force Account is only for labor to demolish the structures. Any time of the City Attorney, Community Development Director or any other Departments involved in these projects is not reflected in the Gross Total City Cost.

Billings by Konicek Environmental Consulting LLC are to be reimbursed from the Department of Commerce Petroleum Clean-up Fund.

The City borrowed \$200,000 in December, 2004 for purchase of the properties on Racine Street. The City will incur \$31,400 in interest cost before the \$200,000 is refinanced, if necessary in 2009.

To Council
From Alderman
Chase

Residents of Five Oaks Park

We would like to thank everyone for the effort you put in maintaining your lot and home. We also did not get a lot of complaints this year of loud music, parties or unruly children or young adults. The well published problems at April Air has strengthened our commitment to you to continue to provide excellence in affordable housing. This is much easier to accomplish when you, the home owner, sign on and we work as a group to keep our community safe, clean, and orderly with well kept homes and lots. It is your community. It is what you make it.

The Wisconsin Housing Alliance (formerly the Wisconsin Manufactured Housing Association) is holding our State Convention at Radisson Paper Valley on November 7th and 8th. They have acknowledged that Five Oaks Park is one of the States finest land leased communities. The president of the association, local dignitaries and news media will be visiting your community the afternoon of November 7th with an open house at Dutch Quality Homes for all interested parties. In addition Five Oaks will be open for all interested association members from 9:00 a.m. to 4:00 p.m. on November 7th and 8th. Please help us show your community for what it is, a neat, clean, and good place to live and raise a family.

We, the staff at Five Oaks Park and your neighbors ask that you have your house and yard neat, and all off-season rec vehicles and non-operating vehicles placed in storage.

We are proud of what we have accomplished in the last 20 years and have all been here from the start.

Thanks from your staff and fulltime employees of your community.

Tom Van Handel
Mary Van Handel
Jule Van Handel
Brian Van Handel
Millie Bodway

Craig Conradt
Pedro Martinez
Bob Martzahl
Joe Verbeten

Calumet County
LEGISLATIVE COMMITTEE MEETING
October 19, 2007

Committee Members Present: Brock, Krause and Laughrin.

Supervisors Present: Ballering, Criter, Dietzen, Draheim, Koenig, Lehrer, Phipps, Scholz, Schuh, Schwobe, Stecker and Stillman.

Legislators/Staff Present: Tyler Vorpapel representing U.S. Rep. Petri, Bob Schweder representing U.S. Rep. Russell Feingold, State Rep. Al Ott and State Senator Joe Leibham (arrived at 9:15 A.M.).

County Staff Present: Bill Craig, County Administrator; Pam Captain, Corporation Counsel; and Beth Hauser, County Clerk.

Others Present: Daniel Thiel, Town of Woodville Chair; Jeanold Puetz, Town of Brothertown Chair (arrived at 9:20 A.M.), Rose Moehn, Sue Ludwig, Paul Ludwig, Ronald Dietrich, and Ray Mueller.

Chair Brock called the meeting to order at 9:00 A.M.

The meeting was properly announced. The Pledge of Allegiance was recited.

Moved by Supervisor Krause and seconded by Supervisor Laughrin to approve the agenda. Motion carried unanimously.

Moved by Supervisor Laughrin and seconded by Supervisor Krause to approve the Minutes of the June 15, 2007 meeting as presented. Motion carried unanimously.

COMMUNICATIONS:

There were no communications.

PUBLIC PARTICIPATION:

1. Ronald Dietrich addressed the Committee regarding wind legislation at the state level. A copy of Mr. Dietrich's presentation is in the file and made a part of this record.
2. Ray Mueller addressed the Committee regarding "Healthy Wisconsin". It was noted that the issue will be discussed later on the agenda so discussion was withheld at this point.

SPECIAL BUSINESS:

- A. General discussion regarding Vilas County Resolution opposing 2007 AB 438 creating a 9-member task force to study the responsibilities and obligations of county government and to develop a plan to reduce the number of counties from 72 to 18 or fewer. **Moved** by Supervisor Laughrin and seconded by Supervisor Krause to place this resolution on file. Motion carried unanimously.
- B. General discussion regarding Marquette County Resolution urging passage of the Wisconsin State Budget. **Moved** by Supervisor Laughrin and seconded by Supervisor Krause to place this resolution on file. Motion carried unanimously.
- C. General discussion regarding Waushara County Resolution requesting the repeal of Wisconsin Act 420, which requires counties to reimburse libraries in adjacent counties for services provided to county residents without a library (cross border payments). **Moved** by Supervisor Laughrin and seconded by Supervisor Brock to support this

resolution and take to the full county board for action. General discussion followed. Motion failed with Supervisor Krause voting aye and Supervisors Brock and Laughrin voting nay. Resolution will be placed on file.

- D. General discussion regarding Brown County Resolution requesting federal action to enforce existing immigration legislation. **Moved** by Supervisor Krause and seconded by Supervisor Laughrin to place this resolution on file. Motion carried unanimously.
- E. General discussion regarding Marathon County Resolution in support of SB-122 which would close the unanticipated property tax loophole for corporations in Wisconsin. It was noted that this bill has already been signed into law. **Moved** by Supervisor Laughrin and seconded by Supervisor Brock to place this resolution on file. Motion carried unanimously.

FEDERAL ISSUES PERTINENT TO COUNTY GOVERNMENT:

There was a general discussion regarding the following items:

Voter Confidence & Increased Accessibility Act of 2007 – the “Holt Bill” ~ this bill would amend the Help America Vote Act by creating stricter audit requirements and paper trail requirements, as well as other stricter provisions. Rep. Petri was originally a supporter of the Bill but has now backed off. Rep. Petri has offered an amendment to provide greater flexibility for the auditing procedures. Rep. Moore has offered an amendment to delay implementation until the federal government has funds to pay for the equipment and implementation. Apparently this bill has been stalled in the House and is not on the calendar for a vote at this time.

S 803/HR 1386 – Restoration of Child Support Funds ~ this bill has been referred to the Subcommittee on Income, Security and Family Support. Rep. Feingold supports this legislation to reinstate funding for child support enforcement because it would be in the best interest of Wisconsin families. The bill needs to get to the floor for a vote.

Tyler Vorpagel left the meeting at 9:42 A.M. Bob Schweder left the meeting at 9:46 A.M.

STATE ISSUES PERTINENT TO COUNTY GOVERNMENT:

There was a general discussion regarding the following items:

Healthy Wisconsin ~ Healthy Wisconsin would create a universal requirement for employers and employees to have health insurance. The proposal would cost \$15.1 billion per year, and currently the cost of health insurance is \$17.2 billion annually. Health Wisconsin could be a huge savings. This item will be placed back on the agenda for the January, 2008 meeting.

Wisconsin State Budget overview ~ the state budget is stalled at this point. There is partisan debate and rhetoric on the budget. The budget must pass both houses. The Assembly passed AB 506 which addresses school funding and shared revenue but it has not passed the Senate yet.

Wisconsin taxes ~ taxes vs. fees ~ ¾ of property taxes are paid by residences and not businesses. What is proper? Fees and taxes are interchangeable and not easily separated.

Supervisor Laughrin left the meeting at 10:50 A.M.

AB 435/SB 193 ~ strengthens drunk driving laws.

Wind turbines ~ the legislature may try to look at further defining the wind tower issues. It was noted that the legislature is pretty comfortable with the statutes as they currently are.

NEXT MEETING:

The next meeting date was set for Friday, January 18, 2008 at 9:00 A.M.

ADJOURNMENT:

Moved by Supervisor Krause and seconded by Supervisor Brock to adjourn the meeting at 11:18 A.M. Motion carried unanimously.

Beth A. Hauser
Recording Secretary

These Minutes HAVE NOT BEEN APPROVED by the Legislative Committee.

FACT SHEET

THE HEALTH BENEFITS OF PARKS AND RECREATION

Park and recreation services play a vital role in creating active and healthy communities. However, your community leaders may not be aware of the direct contribution that parks and recreation play in shaping community health. Here are some facts that can be used to convey the health and physical activity benefits of parks and recreation. These facts are the result rigorous scientific studies across different age groups, communities, and across a variety of park and recreation services.

Did you know that...

- Two-thirds of older adults who visit parks report moderate or high levels of physical activity during their visit?¹
- Active users of public parks have a lower body mass index (a ratio between weight and height) than did people who use parks passively or not at all?¹
- People who visited parks for longer periods of time (one hour or more) had significantly lower systolic blood pressures than those who only stayed for short periods of time (less than one hour)?²
- Park users who were more physically active and who made frequent contact with friends through their leisure time were less likely to report feeling depressed?¹
- Users of a community-based senior wellness program had significantly higher endurance levels, even after controlling for their level of physical activity?³
- Stress relief, clearing one's mind, and exercise were the most common benefits that older adults attributed to their park visits?¹
- People who visited parks with companions (as opposed to visiting alone) reported significantly higher levels of physical health?²
- Citizens who had better access to parks, visited parks more frequently, and engaged in physically-active park behaviors also made fewer visits to their doctor (for reasons other than a regular check-up)?¹
- People who visited parks more frequently were more likely to have a positive perception of their general health?¹
- Fifty-percent of older adults who participated in light to moderate aerobic park activity reported being in a better mood after visiting parks?⁴
- Research subjects who drove through a simulated park environment recovered more quickly from stressful situations than those who drove past a simulated environment dominated by built structures?⁵
- Older adults who engaged in a broad repertoire of park and recreation activities were more likely to report higher levels of perceived physical health?⁶

QuickFacts compiled by:

Andrew J. Mowen, Ching-Hua Ho, Laura L. Payne, Elizabeth Orsega-Smith, Geoffrey C. Godbey

¹ Godbey, G., Roy, M., Payne, L. L., & Orsega-Smith, E. (1998). *Final Report on the Health and Park Use Study*. The National Recreation and Park Association.

² Orsega-Smith, E., Mowen, A., Payne, L., & Godbey, G. (2004). The interaction of stress and park use on psycho-physiological health in older adults. *Journal of Leisure Research*, 36(2), 232-257.

³ Orsega-Smith, E., Payne, L. L., & Godbey, G. (2003). Outcomes associated with participation in a community parks and recreation based wellness program for older adults. *Journal of Aging and Physical Activity*, 11(4), 516-531.

⁴ Godbey G., & Blazey, M. (1983). Old people in urban parks: An exploratory investigation. *Journal of Leisure Research*, 15, 229-244.

⁵ Parsons, R., Tassinary, L. G., Ulrich, R. S., Hebl, M. R., & Grossman, -Alexander, M. (1998). The view from the road: Implications for stress recovery and immunization. *Journal of Environmental Psychology*, 18, 113-140.

⁶ Payne, L. L., Mowen, A. J., & Montoro-Rodriguez, J. (In Press). The role of leisure style in maintaining the health of older adults with arthritis. *Journal of Leisure Research*.

Debbie Galeazzi

From: Frantz, Thomas [thomas.frantz@uwc.edu]
Sent: Tuesday, November 06, 2007 12:54 PM
To: Debbie Galeazzi
Subject: Last night's meeting

Debbie,

Please be advised that due to defective recording media (a bad DVD to be precise) we didn't record a portion of the Common Council meeting last night.

Specifically the part of the meeting missing begins at Item 9A5 (Motion to have GM Doug Young attend Common Council Administration Committee Meetings)

I managed to recover the portion of the DVD about 12 A (Council Directives "Improper placement of garbage cans" and everything that transpired subsequent to that item.

So the portions missing fell between those two items.

I inserted a graphic stating that there were technical difficulties into the final program. I'm sorry this happened. I don't know how we would know a DVD is faulty before we use it....

Please let me know if you have any questions, etc.

Thomas E. Frantz
Director of Information & Instructional Technology
University of Wisconsin--Fox Valley
1478 Midway Rd.
Menasha, WI 54952

(920) 832-2719 Voice
(920) 832-2674 FAX
www.uwfox.uwc.edu

MEMORANDUM

TO: City of Menasha, Common Council

FROM: Douglas Young, General Manager

DATE: November 15, 2007

SUBJECT: Citizen Response

The Menasha Utilities Commission has reviewed the questions as outline by Ms. Bauer's August 10, 2007 address to the Common Council, and makes the following conclusions.

- 1) Debate The Commission agrees the "who-did-what, who-sent-what" debate is distracting from the real issue. The Commission is committed to resolving the issues of the steam utility for the community, in part by meeting on a weekly basis and directing staff on an issue-by-issue basis. The steam utility has proved to be a complicated project, both from a technical and financial point of view.
- 2) Lack of good business practice- Plant spares were not purchased due to the financial situation at the end of the project. Several items were considered with the project but were eliminated or delayed just to get the plant operational. The original consulting engineer under estimated the project costs and timeframe to complete. The \$12.5M original project was revised to \$25.5M, as presented to Council in August 2005. The errors from the original consulting engineer have put this project at risk and have resulted in litigation. The task of developing a spare part inventory is recognized by the Steam Team and is being completed along with other improvements.
- 3) Steam Plant Debt- the following items were addressed:
 - a) Break Even Analysis- All projections developed by staff, Jakko Poyry, and Sargent and Lundy, used a 20 year. Several escalation assumptions were used to address different components over time. Additionally the 2008 budget considers 3 years of anticipated operations and capital expenditures to break even.

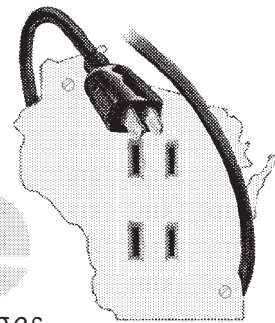
- b) Sell Utility- Sargent and Lundy discussed the present worth of the steam plant, estimating it to be \$13 to \$17M. If selling the steam plant were considered, this would result in up to \$27M debt on Menasha citizens, probably financed in the form of a GO note. The Commission does not consider this an acceptable solution.
- c) Do Nothing- the month-to-date financial information is being provided to the Council. The commission is acting to complete the S&L plan endorsed by both the commission and council. The revenue and expenses have been used to better estimate the next year's budget and provide estimates for rates. Do nothing is not an option for the city.

4. Staffing- the Commission believes appropriate staff is in place to manage all utilities. If the right people were not in place, the Commission would direct staff to hire appropriate staff.

A Coalition
to preserve
Wisconsin's
Reliable and
Affordable
Electricity

Customers First! the Wire

Plugging you in to electric industry changes



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Electric reliability issue resurfaces

It's been a while since the reliability of the nation's electric grid felt like a front-burner issue—probably since coverage of the eight-state blackout in August 2003 started fading from memory. But the industry organization charged with maintaining reliability now says demand growth is steadily outpacing development of new power supplies and emergency situations are becoming more frequent.

In mid-October the North American Electric Reliability Corporation (NERC) said it expects U.S. power demand to grow twice as fast as the capacity to meet it over the coming decade.

Releasing the organization's annual Long-Term Reliability Assessment, NERC president Rick Sergel acknowledged some improvements to the nation's power grid but warned that the system is operating "at or near its limits more often than ever before."

"We are at the stage where emergency situations are becoming more frequent," he said.

The NERC report made it clear that preserving future reliability is a matter of immediate and near-nationwide concern. It said California, the Rocky Mountain States, New England, Texas, the Southwest, and Midwest all "could fall below

their target capacity margins within two or three years if additional supply-side and demand-side resources are not brought into service."

Peak U.S. electricity demand is expected to grow almost 18 percent over the coming 10 years, while committed resources—and that includes demand response programs—are expected to grow by only about half that much, or 8.5 percent over the same period, according to the report.

It pointed out that generation capacity additions like the burgeoning development of wind farms are not entirely free of challenges in their own right. New sources of generation capacity, even clean new technologies, require additional new infrastructure development to reliably integrate them into the bulk power system. Moreover, siting and building transmission lines to deliver power from the often-remote locations of new projects including renewables may increasingly encounter difficulty.

"NIMBY is becoming NIMS: Not in My State," Sergel said, adding, "Reliability of the power grid in one state affects reliability in other states too, due to the interconnected and interdependent nature of the power grid."

People are as much a part of the reliability picture as infrastructure, the NERC report said, noting concerns about looming waves of baby-boomer retirements. Citing a separate study by the Hays Group, the report noted that some 40 percent of senior electrical engineers and shift supervisors in the power industry become eligible for retirement in 2009.

"This loss of expertise, exacerbated by the lack of new recruits entering the field, is one of the more severe challenges facing reliability today," the NERC said.

It urged support for university research and development programs, more outreach, and greater partnership between industry and government to address looming personnel challenges.

Just when you thought it was safe...

Remember the teaser for *Jaws II*: "Just when you thought it was safe to go back in the water...?" Now it looks as if two major Illinois utilities regarded this year's rate shocks as no more than "a little shakin'...a little tenderizin'."

It was only at the end of August that a rate-relief package was signed into law, requiring a billion dollars in scheduled refunds to retail customers of Chicago's Commonwealth Edison and downstate utility Ameren, to mitigate the effects of 2007 rate hikes that in some cases far exceeded 100 percent.

A major reason the utilities agreed to send back part of the increases over the next couple of years was the desire to avoid a new legislated rate freeze replacing the one that expired at the beginning of this year, a decade after Illinois' electric restructuring law was enacted.

Now, with the specter of a new freeze out of the way, ComEd in mid-October filed a request with state regulators, asking to raise rates the equivalent of about six dollars on an average monthly residential bill.

Ameren evidently won't be far behind. That company reportedly has acknowledged it will probably make a formal request before the end of the year to raise rates.

Observing from across the Mississippi River in Davenport, Iowa, the *Quad City Times* has covered the situation as aggressively as anyone and reported that both utilities say they made it known during negotiations on the billion-dollar rate-relief package that they intended to come back with new rate requests.

The *Times* quoted David Kolata of the Illinois Citizens Utility Board (and a participant in past *Customers First!* functions) saying, "We've seen no evidence that ComEd deserves a big rate increase from consumers."



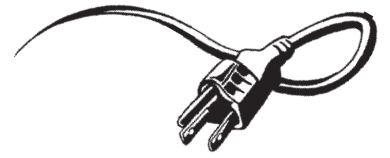
THE WIRE is a monthly publication of the *Customers First!* Coalition—a broad-based alliance of local governments, small businesses and farmers, environmental groups, labor and consumer groups, retirees and low-income families, municipal electric utilities, rural electric cooperatives, wholesale suppliers, and an investor-owned utility. *Customers First!* is a coalition dedicated to preserving Wisconsin's reliable and affordable electricity.

If you have questions or comments about THE WIRE or the *Customers First!* Coalition, please call 608/286-0784.



KEEPING CURRENT

With CFC Executive Director Matt Bromley



Wisconsin's electric utilities and other industries that rely on freight rail service scored a significant victory in Congress recently as the Senate Judiciary Committee approved the Railroad Antitrust Enforcement Act of 2007 (S. 772). This marked the first time in over 25 years that a congressional committee favorably reported on legislation to improve rail service and increase competition and fairness in the rail industry.

In Wisconsin, many industries and utility companies that must use rail to move freight like coal, timber, paper, chemicals, and agricultural products are captive to a single railroad and are subject to take-it-or-leave-it rates.

Federal lawmakers, led by members of Wisconsin's congressional delegation, have taken notice of the captive shippers' plight. As sponsor of S. 772, Senator Herb Kohl was instrumental in guiding the legislation through the Judiciary Committee in September and will play an important role as the full Senate considers further action on the bill. Representative Tammy Baldwin is sponsor of the House version of the Railroad Antitrust Enforcement Act of 2007 (HR. 1650) and has garnered the support of Representatives Ron Kind and Steve Kagen. Kind, Kagen, and Representative David Obey are also cosponsors of HR 2125 that would streamline the rate challenge process and reduce the cost of bringing rate complaints before the Surface Transportation Board (STB). Indeed, during a hearing on HR 2125 last month, Rep. Kagen cited the negative impact on businesses in his northeastern Wisconsin district caused by high freight rail rates and poor service as evidence of the need to reform rail policy.

In September, Representative Tom Petri brought the chairman of the STB, Charles Nottingham, to Oshkosh to meet with dozens of Wisconsin rail customers and discuss the problems they face with rail service. The STB recently formed an advisory committee to provide guidance on issues regarding the railroad transportation of energy resources such as coal, ethanol, and other biofuels. Bill Berg, CEO of Dairyland Power Cooperative and a CFC board member, was appointed to serve on the advisory committee. Dairyland experienced a 93-percent increase in coal shipping rates in 2006.

It's too early to tell whether rail reform legislation will be enacted during the current Congress, but the issue is certainly attracting greater attention than it has in decades, and much of that attention can be attributed to the Wisconsin electric utility community. 💡



Bromley

Green Bay Utility adding wind

Wisconsin Public Service Corp. has announced plans to buy a 99-megawatt wind farm planned for northeastern Iowa, with an agreement expected before year's end.

A late-September announcement from the Green Bay-based utility said it was in negotiations with enXco, a California developer with involvement in almost 20 wind farm projects. Wisconsin Public Service has more than 400,000 electricity customers in the northeast quarter of Wisconsin and part of Michigan's Upper Peninsula.

enXco would build the project in Iowa's Howard County, a short distance west of the Mississippi River and just south of the Minnesota

state line. Assuming successful negotiations, Wisconsin Public Service expected to file for regulatory approval of the project this fall. 💡

Energy saver tip

You've probably seen advice about shifting summertime usage of clothes dryers and dishwashers to nights and evenings to avoid heating up your house. Well, it works in cold weather too, when you *want* that extra heat. And it's never a bad idea to shift usage to hours that more than likely are not your utility's peak demand. 💡

Make a run for the border...

When the perils of restructuring and concerns about system reliability were the hot topics back in the 1990s and early this decade, the line on Texas was that it was a sort of electrical island, pretty much operating its own grid. Now Texas is building up transmission interconnections—but not in the United States. The Electric Reliability Council of Texas, or ERCOT, the “island’s” proprietor, has been testing a new interconnection with Mexico. The objective is to find out whether the new connection can reliably support commercial bulk power transactions across the border. They could be moving in either direction.

For now, that most likely means wholesale power moving north from Mexico, where generation capacity in the region close to the U.S. presently exceeds demand.

That could translate into favorable wholesale prices, at least for the time being. Over the next several years, though, it could change in a big way.

ERCOT anticipates demand growth in Texas of something over 10 percent in the next five years. The Mexican government, on the other hand, is projecting domestic demand growth of as much as 60 percent by 2015.

Considering the expense of building new



infrastructure to accommodate that kind of demand, it could soon become more attractive for Mexico to buy electricity from Texas than the other way around.

Perhaps surprisingly, the three existing interconnections between Texas and Mexico haven’t been used that way so far. The *Dallas Morning News* noted last month that those interconnections are small and have been used strictly in emergency situations when a utility on one or the other side of the border has been unable to meet a demand spike with domestic resources. Setting up bulk power trades as a routine matter would be plowing new ground.

Potential clouds on the horizon, according to the *Morning News*, are concerns about Mexico’s environmental standards, which are less stringent than those required of U.S. power plants, and wariness on the part of ERCOT over international transactions potentially inviting involvement by the U.S. Federal Energy Regulatory Commission (FERC).

Because ERCOT has historically conducted its operations entirely within the state of Texas and independently of other states, it has been able to do so without having to answer to the FERC.💡

The Wire by e-mail

If you’d like to get your monthly affordable-energy newsletter faster and help save paper and postage costs, just send us an e-mail address and we’ll take it from there.

Information should be sent to wendy.fassbind@wfcmac.coop. And if you’d like to receive *The Wire* both ways, by e-mail and regular mail, please specify that you’d like to be on both lists.

If you prefer no change, it’s not necessary to do anything.💡

Ready to rumble

There were those who predicted that solving Ohio’s restructuring problems would be the issue that ends first-term Governor Ted Strickland’s honeymoon with the Legislature. We’ll see. But in the early discussions about Strickland’s proposed remedial legislation, it’s clear there’s no honeymoon going on with the utilities.

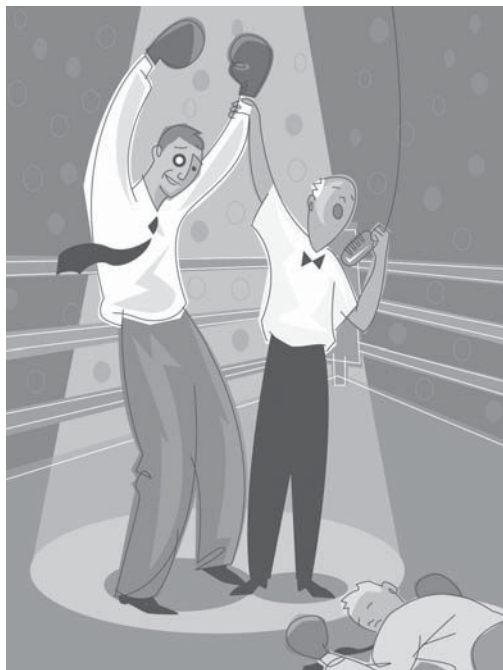
At a legislative hearing on Strickland’s plan early last month, the CEO of Akron’s FirstEnergy ripped into the proposal, while Duke Energy, which serves the Cincinnati area, pretty much embraced it.

FirstEnergy has the state’s highest retail rates and maintains consumers will be better served if it can buy power on a wide-open wholesale market. Duke likes the clean coal and renewables components of the Strickland plan.

Meanwhile, the pro-deregulation National Energy Marketers Association weighed in on both sides of the issue, saying it “supports Governor Ted Strickland’s call for both energy conservation and energy security” but maintained, “Ohio consumers have no incentive to save energy without competitive pricing options,” adding, “Ohio consumers may never benefit from electricity competition” if Strickland’s bill is passed as written.

Complaints from Ohio’s major industrial energy consumers that they expect harm rather than benefit from a theoretically competitive electricity market *sans* competitors are among the reasons Strickland and others have felt urgency about a do-over on their state’s 1990s restructuring law.

FirstEnergy CEO Anthony Alexander, on the other hand, complained that his company has spent vast amounts of money since the ’90s positioning itself for an open market and took a poke (see this month’s “Quotable Quote,”) at manufacturers over their fair-weather enthusiasm for competitive retail markets.💡



Be sure
to check out the
Customers First!
web site at



www.customersfirst.org



Quotable Quotes

"It doesn't make sense to change public policy every time large manufacturers, who already enjoy special privileges and subsidies, think the grass is greener on the other side of the regulatory fence, especially when electricity prices haven't changed in years."

—FirstEnergy President Anthony Alexander, criticizing proposed steps aimed at avoiding expected 2009 rate shocks by partially re-regulating Ohio's electricity market, and quoted in the *Cleveland Plain Dealer*, October 5, 2007

Help us share our messages with others. If you know of businesses or organizations that would like to learn more about protecting Wisconsin's reliable and affordable electricity, please feel free to copy and share with them all or part of this newsletter, or you can call 608/286-0784 to arrange an informational meeting.

Customers First!
Plugging Wisconsin In



A Coalition
to preserve
Wisconsin's
Reliable
and Affordable
Electricity

P.O. Box 54
Madison, WI 53701

Customers First!





Memorandum

DATE: November 15, 2007

TO: Common Council

FROM: Mark Radtke, Director of Public Works

RE: 2007-2011 Street Improvement Program

At the November 1, 2007 Council Budget Review meeting, a request was made for a copy of our current 5 Year Street Improvement Program. Attached to this memo is that list. Understand that the list is reviewed and revised as necessary every year so the projects delineated for future years are not necessarily definite projects for that particular year. Also, with more use of our DPW crews for paving projects, it is likely more streets can be included due to the anticipated cost savings.

Attachment
C: Mayor Laux

CITY OF MENASHA
5-Year Street Improvement Program
2007 - 2011

2007

KAUKAUNA STREET from Broad Street to Tayco Street.; Pulverize/Resurface	\$ 90,000
HIGH STREET from Water Street to Kaukauna Street; Pulverize/Resurface	\$ 15,000
STH 47 from Ninth Street to Midway Road; Reconstruction; WisDOT (No local cost share anticipated)	<u>\$ 0</u>
TOTAL	\$105,000

2008

PACIFIC STREET , Eighth Street to Ninth Street; Pulverize and Asphalt Resurface by DPW (materials cost only)	\$ 22,000
CHUTE STREET , Lush Street to Tayco Street; Pulverize and Asphalt Resurface by DPW (materials cost only)	\$ 26,000
EIGHTH STREET , Tayco Street to Pacific Street, Pulverize and Asphalt Resurface by DPW (materials cost only)	\$ 27,000
FOURTH STREET , Konemac Street to East End; Pulverize and Asphalt Resurface by DPW (materials cost only)	\$ 29,000
KONEMAC STREET , Third Street to Plank Road; Pulverize and Asphalt Resurface by DPW (materials cost only)	\$ 27,000
GREEN BAY STREET , Broad Street to Third Street; Pulverize and Asphalt Resurface by DPW (materials cost only)	\$ 30,000
FIRST STREET , Manitowoc Street to Ice Street; Pulverize and Asphalt Resurface by DPW (materials cost only)	\$ 37,000
FIRST STREET , DePere Street to Manitowoc Street; Total Reconstruction	\$ 90,000
APPLETON STREET , First Street to Third Street; Total Reconstruction	<u>\$ 75,000</u>
TOTAL	\$363,000

2009

STH 114 from Tayco Street to Manitowoc Street; Reconstruction; WisDOT (Local cost share only)	\$175,000
LUSH STREET from R.R. Tracks to First Street; Pulverize/Resurface	\$ 35,000
LOCK STREET from Broad Street to LLB; Pulverize/Resurface	\$ 35,000
WATER STREET from Barlow Street to Tayco Street; Pulverize/Resurface	<u>\$115,000</u>
TOTAL	\$360,000

2010

BROAD STREET from Tayco Street to Racine Street; Reconstruct Concrete/Asphalt	<u>\$350,000</u>
TOTAL	\$350,000

2011

GARFIELD AVENUE from R.R. tracks to Washington Street; Reconstruct Concrete	<u>\$470,000</u>
TOTAL	\$470,000



Memorandum

DATE: November 12, 2007

TO: Menasha Common Council

FROM: Mark Radtke, Director of Public Works

RE: 2008 Budget Review – Midway Road Walk Project

At the November 1st budget review session, there was a question about the timing and cost of a possible joint project with the Town of Menasha for the construction of a five foot wide concrete sidewalk along Midway Road. As proposed by the Town of Menasha, the project would involve the entire length of Midway Road from Racine Road to Oneida Street, excepting those segments with existing concrete walk.

In the Mayor's proposed 2008 Budget, concrete walk is proposed for only the portion west of Appleton Road to the west driveway of Affinity on the north side, and to the City's limits east of Fatima Street on the south side. The estimated cost for that work is \$59,400 with \$14,400 requested in the budget as a levy amount for the non-assessable portion.

As mentioned, the Town of Menasha has proposed completion of the concrete walk along Midway Road in 2008 or 2009. There would be opportunity for cost savings if the two communities join in one contract for this work. While preparing the plans for the Midway Road street reconstruction project, McMahon Group discovered right of way inconsistencies that may impact the placement of sidewalk along this corridor. It appears the right of way in some areas may be less than what was thought to exist. Title searches should be undertaken prior to final design of the walk to determine the proposed walk location and the need for any right of way acquisition.

Because of these uncertainties, I recommend the City forego any walk construction until 2009. This will allow us time to research the land interests within the corridor and complete the walk design in 2008 with an expected 2009 construction schedule. If the Council wishes to pursue this project, the \$14,400 in the proposed 2008 Budget should remain for the cost of the necessary title searches and possible acquisition or deed preparation.

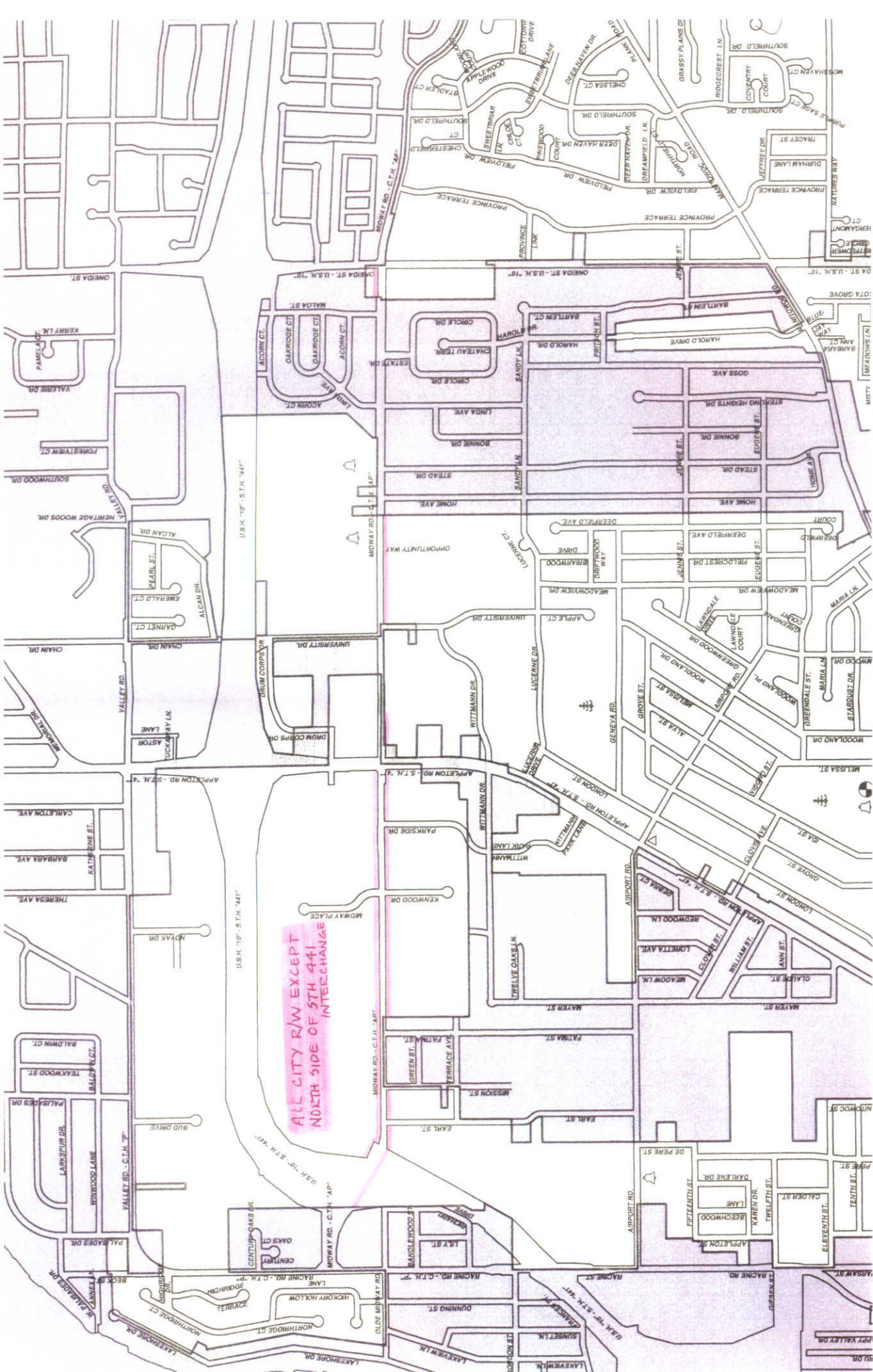
The following are various cost estimates for Midway Road concrete walk construction options:

	<u>Total Cost</u>	<u>Non-Assessable Cost</u>
Proposed 2007 Budget	\$ 59,400	\$14,400
All City Right of Way	\$151,875	\$35,925
All City R/W except north side Of STH 441 Interchange	\$142,875	\$28,425
All City R/W except south side Of STH 441 Interchange	\$139,950	\$25,500

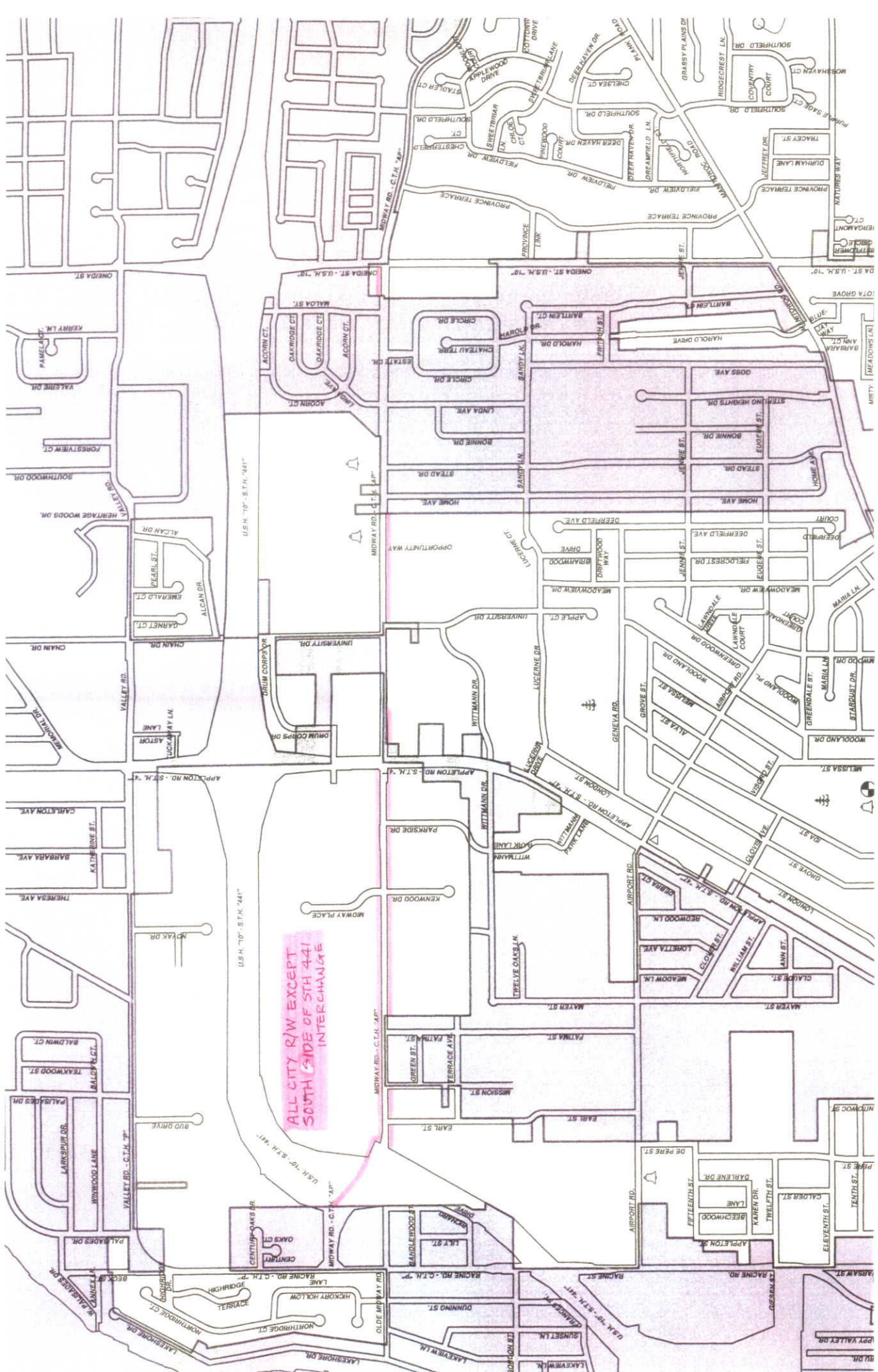
I also recommend the City of Menasha Engineering Department prepare the design and plans for this project as a cost savings measure, with the Town reimbursing the City for its portion of the engineering costs. I will be available to answer questions prior to or at the November 19th Council meeting.

Attachment
C: Mayor Laux





ALL CITY R/W EXCEPT
NORTH SIDE OF 5TH 441
INTERCHANGE



ALL CITY R/W EXCEPT
SOUTH SIDE OF STH 441
INTERCHANGE



City of Menasha • Office of the City Attorney
Jeffrey S. Brandt, City Attorney

MEMO

TO: Common Council

FROM: Jeff Brandt JSB

SUBJECT: Scott Johnson claim

DATE: November 12, 2007

On the agenda with a recommendation for disallowance is the claim of Scott Johnson. While Mr. Johnson does adequately describe his damage, he does not specify any negligence on behalf of the City. As you know, negligence is either the failure to perform a known duty or performing a duty in an improper manner. Additionally, no notice of any problem with the manhole cover prevented the City from evaluating and making any necessary repairs. The City needs to have notice in matters like this.

Lastly, Mr. Johnson has duties of maintaining a proper lookout and managing and controlling his vehicle. Driving at the speed limit in this location would easily provide an opportunity for evasive action. To that end, I maintain that Johnson has contributory negligence.

The investigation of Street Superintendent Jacobson concurs with my recommendation and is attached.



To Kate Clausing

From Tim Jacobson
Public Works Supt.

Re Scott Johnson Claim

Late on Friday October 5, 2007 I was performing some routine patrolling in the area designated The Midway Business Park, which includes University Drive. The streets in this area are considered temporary and will remain in this category until a higher percentage of development is completed. Other than a pothole in front of one of the business' (Swimrtastics) the condition of the streets seemed consistent with a developing area with general unevenness but nothing significant.

On Monday October 8, 2007 two employees were assigned to perform some general asphalt patching and the pothole at Swimrtastics was first on their list. While performing this task the crew radioed that they noticed the oil slick starting at the manhole identified by Scott Johnson. Upon investigation it was determined that some settlement occurred around the structure and while we were out there and had hot mix on board we would attempt to level it out some what.

The morning of October 8, 2007 was the first time the Department of Public Works had any actual or constructive knowledge of any perceived unsafe condition on University Drive. Scott Johnson claims this incident occurred on September 17, 2007 yet he did not call the Department of Public Works or any agency of the City of Menasha to inform anyone of the perceived unsafe condition.

This location has several hundred residents living in the surrounding area and numerous businesses and the manhole is adjacent to the driveway apron to United Paper as indicated by Scott Johnson. At no time in the past has anyone called the Department of Public Works to inform us of any unsafe condition, our first knowledge was by our own staff on October 8th.

Therefore based on the general rule stated in 39Am. Jur.2d Highways, Streets, and Bridges, § 411 this claim for damages is recommended denied.

NOTICE OF CLAIM AGAINST THE CITY OF MENASHA

Wisconsin law requires a Notice of Claim to be filed within certain statutes of limitations. You must comply with the time limits in order for your claim to be considered.

NAME SCOTT B. JOHNSON
ADDRESS 1310 LUCERNE DRIVE #16 (street)
MENASHA, WI 54952 (city, state, zip code)

TELEPHONE NO. ^{CELL} (920) 850-0309

CIRCUMSTANCES OF CLAIM: On the reverse side, describe the circumstances of your claim (attach additional sheets if necessary). For auto/property damages attach a copy of police report, if any; and a diagram of the accident scene including north, south, east or west. For personal injury indicate the nature of the injury; if medical attention was given, the name of the physician/immediate care/hospital. List the names and addresses of any witnesses to the incident/accident. Please be specific with the information provided.

Incident/Accident Information:

Date 9-17-07 Place: UNIVERSITY DRIVE (MIDWAY INDUST. PARK)
Time 6:45 AM Across From UNITED PAPER

(Circumstances of claim and witnesses on reverse)

Signed: Scott B. Johnson Date: 10-8-07

CLAIM FORM

Wisconsin law requires claims to be filed within certain statutes of limitations. You must comply with these time limits or any claim submitted will be denied.

You are not required to make a claim at this time. You may file a claim against the City of Menasha at any time consistent with the applicable statute of limitations. **However, in order for the City of Menasha to formally accept or disallow your claim at this time, you must complete and sign the form below.** Please provide copies of any bills supporting the amount of the claim. Attach two (2) estimates for claims involving auto/truck/property damage.

The undersigned hereby makes a claim against the City of Menasha arising out of the circumstances described above. The claim is for relief in the form of money damages in the amount as indicated below, and non-monetary relief as follows: _____.

Auto/truck:	\$ <u>699.95</u>	Personal Injury:	\$ _____
Property:	\$ _____	Other (specify:)	\$ _____

Signed: Scott B. Johnson Date: 10-8-07

Address: 1310 LUCERNE DRIVE #16 (street)
MENASHA, WI 54952 (city, state, zip code)

revised 07/04

Rec'd 10/8/07

Circumstances of claim (attach additional sheets if necessary): _____

ON MONDAY, SEPTEMBER 17th, 2007 I WAS DRIVING SOUTH ON UNIVERSITY DRIVE IN MIDWAY INDUSTRIAL PARK. WHILE DRIVING AT NORMAL SPEED AND FOLLOWING THE RULES OF THE ROAD, THE UNDERSIDE OF MY CAR WAS STRUCK BY AN ELEVATED MANHOLE COVER. THE CONTACT TORE MY UNDER ENGINE COVER AND RIPPED OFF MY OILPAN PLUG AND A CHUNK OF MY OILPAN. THIS CAUSED MY OIL TO DRAIN OUT UPON CONTACT UNTIL I REACHED MY APARTMENT. I CALLED ZENTNER'S AUTO SERVICE TO TOW MY CAR TO MEISTER IMPORT MTRS INC. TO REPAIR THE DAMAGE. I RECEIVED MY CAR ON FRIDAY, SEPTEMBER 21st, 2007 FULLY REPAIRED. UPON REVIEW OF THE SITE I'M NOT THE FIRST PERSON TO MAKE CONTACT WITH THAT PARTICULAR MANHOLE COVER. ATTACHED ARE SOME PHOTOS THAT WERE TAKEN RIGHT AFTER THE INCIDENT.

Witnesses (names and addresses): _____

- CAR 99 VW BEETLE (DIESEL)
- NO ALTERATIONS DONE
- CLEAN DRIVING RECORD (9 yrs of 20,000 mpyear)

Procedure for filing claims:

1. Wisconsin law requires notices of claims and claims to be filed within certain statutes of limitations. You must comply with these time limits or any claim submitted will be denied. In most instances, a Notice of Claim must be filed within 120 days from the date of the incident or will be barred by the Statute of Limitations.
2. In order for the City to make a determination regarding your claim, a Claim stating the specific damage(s) sought, circumstances surrounding the claim, and supporting documentation must be completed, dated, signed and submitted to the City Attorney's office. This is the bottom portion of the form entitled "Claim Form". **Until this portion is completed and submitted to the City, no action will be taken.**

Investigation and determination can take several weeks or months depending on complexity. Often, a claimant must mitigate his/her damages prior to final determination.

3. Mail or submit claims to: City Attorney, City of Menasha, 140 Main Street, Menasha, WI 54952.
4. The City Risk Manager and/or CVMIC (the City's liability insurance carrier) will then determine if your claim should be paid, compromised or disallowed. You will be notified by letter should the City determine to pay or compromise your claim. If your claim is determined to be disallowed, the matter will be referred to the Common Council for formal disallowance in the normal course of business. You will be notified by letter of the Council's action.
5. This procedure is established by State Statutes to provide a mechanism for persons to recover damages in the event a municipality is responsible for an incident. This procedure is also designed to protect the municipality and its taxpayers from having to pay out inappropriate and/or nuisance claims.

DATE _____		A.M. _____ P.M. _____		REQUESTED BY _____	
CITY _____					
NAME _____				PHONE _____	
ADDRESS _____				CITY _____	
MILEAGE		SERVICE TIME		EXTRA PERSON	
FINISH _____		FINISH _____		FINISH _____	
START _____		START _____		START _____	
TOTAL _____		TOTAL _____		TOTAL _____	
YEAR _____	MAKE _____	MODEL _____	COLOR _____	DRIVER _____	
STOCK _____		VEHICLE ID NO _____			
<input type="checkbox"/> SUN/ROOF RACK <input type="checkbox"/> WHEEL LIFT <input type="checkbox"/> FLAT BED/RAMP <input type="checkbox"/> START <input type="checkbox"/> LOCK OUT		<input type="checkbox"/> FLAT TIRE <input type="checkbox"/> OUT OF GAS <input type="checkbox"/> WRECK <input type="checkbox"/> RECOVERY		SPECIAL EQUIPMENT <input type="checkbox"/> CABLE LINE WINCHING <input type="checkbox"/> DUAL LINE WINCHING <input type="checkbox"/> SNATCH BLOCKS <input type="checkbox"/> SCOTCH BLOCKS <input type="checkbox"/> DOWEL	
VEHICLE TOWEL TO _____					
REMARKS _____ _____ _____ _____ _____				MILEAGE CHARGE _____	
				TOWING CHARGE _____	
				LABOR CHARGE _____	
				STORAGE CHARGE _____	
				TOTAL _____	
OPERATOR'S SIGNATURE _____				AUTHORIZED SIGNATURE _____	

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Phone (920) 757-5543

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MEISTER Import Mtrs. Inc.

SPECIALIZING IN VW'S AND AUDI'S

W6954 Wisconsin Road - Greenville, WI. 54942

Phone (920) 757-5543

DATE ESTIMATED PRICE \$ SER. TAG NO. LUBRICATE CHANGE OIL CHANGE OIL FILTER CART. SERVICE TRANS. PACK WHEEL BRGS. ALIGN WHEELS WHEEL BALANCE ROTATE TIRES WASH TUNE ENGINE MILE INSP. WARRANTY IF CHECKED

NAME ADDRESS CITY & STATE ZIP VEHICLE IDENTIFICATION NO. RES. PHONE BUS. PHONE

Do you want the replaced parts you are entitled to? Yes No

This vehicle received without face to face customer contact.

SHOP REPRESENTATIVE SIGNATURE

CASH CREDIT CARD

REPAIR ORDER-LABOR INSTRUCTIONS

F.C. OPERATION TIME MECH. NO.

NO. CALLED NEW ESTIMATE

ESTIMATE FOR THE REPAIRS YOU HAVE AUTHORIZED. THE ESTIMATE, BUT WILL NOT EXCEED THE ESTIMATE. R SIGNATURE WILL INDICATE YOUR ESTIMATE SELECTION.

Major vehicle repair trade practices are regulated by Wis. Adm. Code Chapter Ag 132, administered by the Trade Division, Wis. Dept. of Agriculture, 801 W. Badger Rd., Madison, 53713.

ESTIMATE CHARGE

NOT RESPONSIBLE FOR LOSS OR DAMAGE TO CARS OR ARTICLES LEFT IN CARS IN CASE OF FIRE, THEFT OR ANY OTHER CAUSE BEYOND OUR CONTROL.

I hereby authorize the above repair work to be done along with the necessary mechanical and body work and/or paint and/or upholstery to complete the car or truck herein described on street, highway or elsewhere for the purpose of testing and/or inspection. An express mechanic's lien is hereby acknowledged on above car or truck to secure the amount of repairs thereto.

I ACKNOWLEDGE RECEIPT OF A COPY OF THIS AGREEMENT

TERMS: STRICTLY CASH UNLESS ARRANGEMENTS MADE

1. I request an estimate in writing before you begin repairs. X

2. Please proceed with repairs, but call me before continuing if the price will exceed \$.

3. I do not want an estimate. X

GAS, OIL & GREASE GALS GAS QTS. OIL LBS. GREASE AUTO TRANS. FLUID

W. C. QTY. PART NO. OR DESCRIPTION SALE TIME RECEIVED AM PM TIME PROMISED AM PM YEAR-MAKE COLOR-MODEL ODOMETER LICENSE NO. DELIVERY DATE

MEISTER IMPORT MOTORS W6954 WISCONSIN RD GREENVILLE, WI 54942

TERMINAL I.D. # 2525

MERCHANT #

MASTERCARD

SALE

BRICH: 800141

DATE: SEP 21, 07

INVOICE: 000498

TIME: 15:38

AUTH NO: 011727

TOTAL \$609.65

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CITY OF MENASHA

OPEN SPACE AND RECREATION FACILITIES PLAN 2007 - 2011

April 2007

CITY OF MENASHA

OPEN SPACE AND RECREATION FACILITIES PLAN

2007 - 2011

Prepared by the
City of Menasha Parks and Recreation Board
and the
East Central Wisconsin Regional Planning Commission

City of Menasha
140 Main Street
Menasha, Wisconsin 54952
Department of Parks and Recreation
Telephone: 967-5106

April 2007

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INTRODUCTION

THE CITY OF MENASHA

The City of Menasha is located on the northwest corner of Lake Winnebago between the cities of Appleton and Neenah. Third largest of the Fox Cities, Menasha has a long history as an important industrial center. With frontage on Lake Winnebago, Little Lake Butte des Morts and the Fox River, Menasha is closely tied to the Fox River waterway and many of its recreational resources are located adjacent to the water. In recent years city leaders have made a strong commitment to integrating its waterfront into numerous downtown revitalization activities. These and other local efforts to attract new commercial, industrial, and residential development have had a significant impact on restoring the city's image and elevating community pride. Combined with Menasha's many existing employment opportunities, highly regarded school system, and other city attributes, these activities have created a resurgence in the city's growth cycle and have made the Menasha housing market competitive with those elsewhere in the Fox Cities.

RECREATION PLANNING IN MENASHA

Comprehensive parks and open space planning has long guided the growth and development of Menasha's park system. Continuing this planning process by maintaining a current plan has become more important in recent years. Several factors underscore the need for well considered decisions regarding the future acquisition and development of open space areas in the city. Among these are new residential development east of Oneida Street and elsewhere in the city; the city's downtown revitalization efforts, which have brought increased focus on the Fox River and navigational canal; recent acquisition of high value natural areas for open space purposes; and heightened concern with stormwater management issues. As a result, the City of Menasha, with assistance from the East Central Wisconsin Regional Planning Commission, began work on an update of its comprehensive Open Space and Recreation Facilities Plan in November 2006 for the years 2007-2011.

This new plan, developed with the Menasha Parks and Recreation Board, draws upon past goals, objectives, and recommendations tempered with new considerations which have evolved since the last plan was adopted in 2001. **After state and local approval, the plan will allow the City to continue participation in the state's Stewardship Program as well as other state or federal funded programs. These DNR-administered programs each provide up to 50 percent matching funds for the acquisition and development of parkland.**

POPULATION

Although Menasha's population was relatively stable between 1960 and 1990, it has experienced significant growth during the past decade (Table 1). Its 2002 population of 16,529 represents an increase of over 1,800 residents since the 1990 census was undertaken. A development spurt in the northern and eastern portions of the city has contributed to much of this new growth.

Projections indicate the city's population will continue to grow at a moderate rate during the next 30 years, reaching an estimated 19,676 by the year 2030 (Table 2).

In 2000 the median age of Menasha residents (34.0) was similar to but slightly lower than both Winnebago County (35.4) and the State of Wisconsin (36.0). Additionally, the population of all three entities had nearly identical age structures. *Source: 2000 US census data, D.O.A.*

**TABLE 1
POPULATION TRENDS
1950 - 2002**

Year	Menasha	Winnebago Co.	Wisconsin
1950	12,385	91,103	3,434,575
1960	14,647	107,928	3,951,777
1970	14,836	129,946	4,417,821
1980	14,748	131,772	4,705,642
1990	14,711	140,320	4,891,769
2000	16,331	156,763	5,363,675
2001	16,375	157,283	5,400,004
2002	16,529	159,161	5,453,896
Percent Change 1990 – 2002	12.36%	13.43%	11.49%

Sources: U.S. Census: 1950, 1960, 1970, 1980, 1990 and 2000. D.O.A.: 2001 and 2002.

**TABLE 2
POPULATION PROJECTIONS
2000 - 2030**

Year	Menasha	Winnebago Co.	Wisconsin
2000	16,331	156,763	5,363,675
2005	16,988	163,846	5,563,896
2010	17,443	168,538	5,751,470
2015	17,912	173,241	5,931,386
2020	18,460	178,543	6,110,878
2025	19,090	184,763	6,274,867
2030	19,676	190,504	6,415,923
Percent Change 2000 – 2030	20.48%	21.52%	19.62%

Sources: **Official Population Estimates**, Wisconsin Department of Administration;
U.S. Census 2000; Population Projections, December, 2004; ECWRPC.

PARK AND RECREATION MANAGEMENT

The responsibility for managing Menasha's parks and recreational facilities lies with a seven-member Parks and Recreation Board, which is appointed by the Mayor, subject to Council approval. A crew of seven full-time and five part-time summer seasonal employees are responsible for park maintenance under the direction of the Superintendent of Parks, Forestry and Cemeteries and the Director of Parks, Recreation, Forestry and Cemeteries. Reservations for park areas and pavilions are taken each year beginning February 1. A copy of current fees, charges, rules and regulations is available at the Park and Recreation Office, City Hall, 140 Main Street, Menasha, WI 54952 or can be obtained by calling (920) 967-5106.

SERVICE STANDARDS

A good recreation and open space plan is carefully tailored to the community for which it is prepared and reflects user needs on a qualitative as well as quantitative basis. Nationally accepted park planning standards provide a gauge of the overall adequacy of the quantitative aspects of a community's park system. As such, they are useful in determining what and where specific recreational needs exist and suggest appropriate measures to fulfill these needs. **Often, however, these park standards are not sensitive to the many variables that make each community unique; thus, in addition to general park and recreation standards, other criteria related to particular local characteristics are employed.** These enable a community to refine the national standards to accommodate its own needs based on community interest, physical resources, and financial capacity to operate its park system. The following general park standards and important local criteria influenced the preparation of this plan:

Acreage Standard. The most common standard for park and open space in a community is 10 acres for each 1,000 residents. Generally, however, as communities begin to place greater emphasis on acquiring natural areas and other open space for preservation and/or passive recreation, they are finding that more acreage will be required if all recreational needs of their citizens are to be met.

Facilities Standard. This standard pinpoints the number of recreation facilities, such as tennis courts or picnic tables, that should be found in a community based on its population. While this standard is useful in discovering major discrepancies, a more accurate reflection of true community park needs is found in the demands expressed vocally by community residents. Communities such as Menasha with full time staff involved with recreational programming typically have an excellent perspective on local recreational shortcomings.

Park Site Standards. Park site standards help determine the size and service area of the parks and the facilities that should be made available in various types of parks appropriate for a community. Community parks and neighborhood parks are the types of facilities most appropriate for a community the size of Menasha.

Mini-Park. Sometimes called a vestpocket park or tot lot, these facilities are typically around 0.5 acres or less in size.

Neighborhood Park. A neighborhood park is a 3 to 15 acre park that provides recreational facilities for all ages. Typical facilities include play equipment, picnic areas, a basketball and/or volleyball court, and an open play area with backstop for unorganized activities. Although a desirable service radius for a neighborhood park is a half mile or ten-minutes walking time, it often is defined by natural and man-made barriers, such as unbridged river segments or major streets, which restrict safe and convenient access.

Community Park. A community park serves the entire community. In addition to providing most of the facilities recommended for neighborhood parks, a community park should include such facilities as restrooms, shelters, nature trails or areas, swimming areas, a band shelter, and similar facilities which would be used by the entire community. A desirable service radius for a community park is one mile or five-minutes driving time.

Special Use Parks. Very widely in size and use. Examples of such facilities include: zoos, nature centers, boat launches, ski hills, beach areas, etc.

Citizen Involvement. Community views are reflected in two ways: (1) guidance from the Menasha Parks and Recreation Board in formulating goals and objectives, in identifying local problems and needs, and in synthesizing and reviewing final plan proposals; and (2) participation by community residents at public information meetings to review plan proposals. Full-time staff also provides a continuous sounding board for monitoring and responding to public concerns.

Environmental Quality. Unique land forms, wooded areas, water bodies, drainage courses, and other areas of significant environmental quality are often excellent candidate locations for parks and other open space areas. Opportunities for utilizing Menasha's natural features for future recreational development and/or preservation are identified.

Land Use. Future park locations must have a relationship to predicted land use patterns, especially to residential areas. Menasha's existing and future land use trends are evaluated so that growth areas can be identified as a basis for determining the location of future parks and open space areas.

RECREATIONAL FACILITIES INVENTORY

NATURAL RESOURCES

The natural resource base is not only a major determinant of potential physical and economic uses of the land, it also suggests areas that are prime candidates for parkland and other open space uses. Communities that make public management and preservation of these resources a priority are rewarded with an enhanced quality of life for local residents. Among environmental characteristics well worth protecting for open space are topography; streams, lakes and other drainage corridors; floodplains; woodlands; and soils which are unsuitable for most types of intensive land use development. In many cases, private development of these environmentally sensitive areas is strictly regulated to protect the important environmental benefits they provide.

Lake Winnebago, the Fox River, Little Lake Butte des Morts and several sizable wetland areas which exist along the north shore of Lake Winnebago are important natural resources in the Menasha area. Elevations in the city range from around about 740 feet above sea level along the shore of Little Lake Butte des Morts to over 800 feet in some areas east of Oneida Street. This portion of the community is also characterized by several well-defined drainageways which, with increased development in and around Menasha, provide opportunities for integrating stormwater management practices with open space and trail development in strategic locations. Several large woodland tracts are found in conjunction with the major wetlands.

EXISTING RECREATIONAL FACILITIES

Over 200 acres of public parks and other open space areas are available to City of Menasha residents (Figures 1 and 2). This acreage includes nearly 20 parks and open space areas maintained by the City of Menasha Department of Parks, Recreation, Forestry, and Cemeteries; eight school sites maintained by the Menasha School District; and an additional four parks in the adjacent portions of the Town of Menasha. Together, these areas provide a blend of passive, active, and special use areas for the Greater Menasha community.

Community Parks

Jefferson Park. Jefferson Park is the largest and most fully equipped park in the Menasha Park System, providing the setting for many major local festivals. Bordered by Third Street, Konemac Street and the Fox River, the park contains 28.9 acres and features a small island that has been known to generations of children as Peanut Island because of its shape. Picnickers enjoy a magnificent view of the Fox River and find 12 reservable picnic areas and plenty of open space and playground equipment in the park. Boaters make use of several convenient docks and launches. Seasonal mooring is available for craft under 21 feet in length. Three tournament softball diamonds, three of which are lighted, horseshoe pits, two volleyball courts, and acres of open area for football, soccer, or simply relaxation await the outdoor sports enthusiast.

The Menasha Municipal Pool complex is also located in Jefferson Park. The complex consists of a zero-depth pool for waders, two water slides, and a jump platform. All major boat ramps at this site were repaired in 2005.

An award-winning pavilion, which may be reserved for family gatherings and other events, provides kitchen facilities, restrooms, and a shelter. Annual events at the park include Seafood Fest, Communityfest Celebration, Independence Day fireworks, and Jazzfest as well as a variety of company picnics.

Smith Park. Smith Park is located on Doty Island in the southern portion of the City. The park celebrated its 100-year anniversary in 1997, making it one of the oldest city parks in the state. Smith Park is bordered by Cleveland and Park Streets to the east and west, Nicolet Boulevard to the south and Fox River on the north. This 23.9-acre park features a large pavilion complete with kitchen facilities. Also located within the park are picnic facilities, playground equipment, volleyball court, four tennis courts, softball diamond and soccer field. Several unique features make Smith Park an attraction worth seeing and an important community asset. A railroad caboose, presented to the Menasha Historical Society, commemorates the fact that Menasha was the birthplace of the original Wisconsin Central Railroad. At the southern end of the park are several Indian burial mounds - large settlements of Fox and Winnebago Indians once inhabited this area - and a natural amphitheater used for summer concerts. The north end of the park features semi-formal gardens planted each year with approximately 6,000 annuals, a setting that is a favorite for summer weddings. A gazebo funded with corporate donations was built in this area in 1997. Many recreation programs are held in the park. Various entertainers offer free performances every other Tuesday night in the pavilion. No alcoholic beverages are allowed in the park.

The Memorial Building and playground area are located north of Keyes Street on the Fox River. The "Mem" is a multiple-use facility utilized for recreation programs and is headquarters for the Menasha Historical Society. A shorewall with decorative lighting was installed behind the "Mem" in 1998 as part of the island renovation plan. Other facilities on the grounds include four tennis courts that were renovated in 2004, playground equipment, a basketball court, and an area for seasonal boat mooring operated by the Menasha Dock Association. Groomed cross-country ski trails are also available. An "Isle of Valor" monument honoring two Menasha Medal of Honor recipients will be constructed in 2007. The area will be located behind the Memorial Building and includes a new pedestrian bridge.

Koslo Park. A 12-acre park located east of Highway 47 and north of Airport Road, Koslo Park is bordered by London Street and Geneva Road. It features a semi-professional lighted baseball diamond, softball diamond, lighted basketball court, volleyball court, pole shelter and a variety of playground apparatus. The park serves as the home field of the Menasha Macs and Twins and local high school baseball leagues. In 2000, the City entered into a unique lease-back agreement with Menasha Utilities which allowed for the installation of a state-of-the-art sports lighting system. A new scoreboard was installed in 2001.

Neighborhood Parks

Clovis Grove Park. Clovis Grove Park is located near the intersection of Ninth and Ida streets adjacent to Clovis Grove Elementary School and is the third largest park in the Menasha system. This 12.5-acre park features seven lighted tennis courts, one touch football field, soccer field, one softball diamond, a sledding hill, playground equipment and a picnic shelter. The park also features a small 1/2-acre wooded area.

Hart Park. Hart Park is located on Seventh Street just west of Appleton Road. This 3.9 acre park includes restroom facilities, lighted basketball court, softball diamond/football field and playground area. A large, supervised, lighted ice rink and warming shelter is provided during winter months. The 1,000 square foot handicapped accessible shelter, which includes a fireplace, was constructed in 1994. The shelter is used year round for recreation programs including a summer playground program. A community well is being constructed in the northwest corner of the park and a 7,000 sq. ft. skateboard park was installed in 2002.

Pleasants Park. Pleasants Park is bounded by Sixth, Seventh and Walbrun streets behind and west of Banta School. This 5.3-acre park includes four tennis courts, softball/baseball diamond, regulation soccer field, and a wide variety of playground equipment.

Shepard Park. Located on Doty Island between Mathewson Street and Garfield Avenue, Shepard Park fronts Little Lake Butte des Morts. Included in this 3.7-acre park are restroom facilities, softball diamond, basketball court, and playground area.

Barker Farm Park. Located east of Oneida Street in the Barker Farms Estates subdivision, the city's newest park expanded to 8.9 acres in 2000. The park was dedicated in 2005 and includes a picnic shelter, sledding hill, two tennis courts, an off street parking lot, playground equipment, a ball diamond, and a short asphalt trail system.

Mini-Parks.

Veterans Park. This small park located on Racine Street adjacent to Elisha D. Smith Library was eliminated in 2002 when the public library was expanded. A military service monument in the park was relocated in front of the library entrance.

Clinton Center Park. Clinton Center Park is located on the corner of Second and Tayco streets. This 0.6-acre park contains a variety of play equipment, a basketball court, and open play area.

Bridge Tower Greenspace and Museum. Located on Tayco Street just north of the Tayco Street bridge, this park was developed in 1996 to provide an attractively landscaped small pedestrian park to complement the adjacent Bridge Tower Museum, which depicts the Fox River's role in the area's historical development.

Scanlan Park. Scanlan Park occupies a small triangular parcel at the intersection of Kaukauna and Chute streets. This 0.5-acre park features some playground facilities.

FIGURE 1

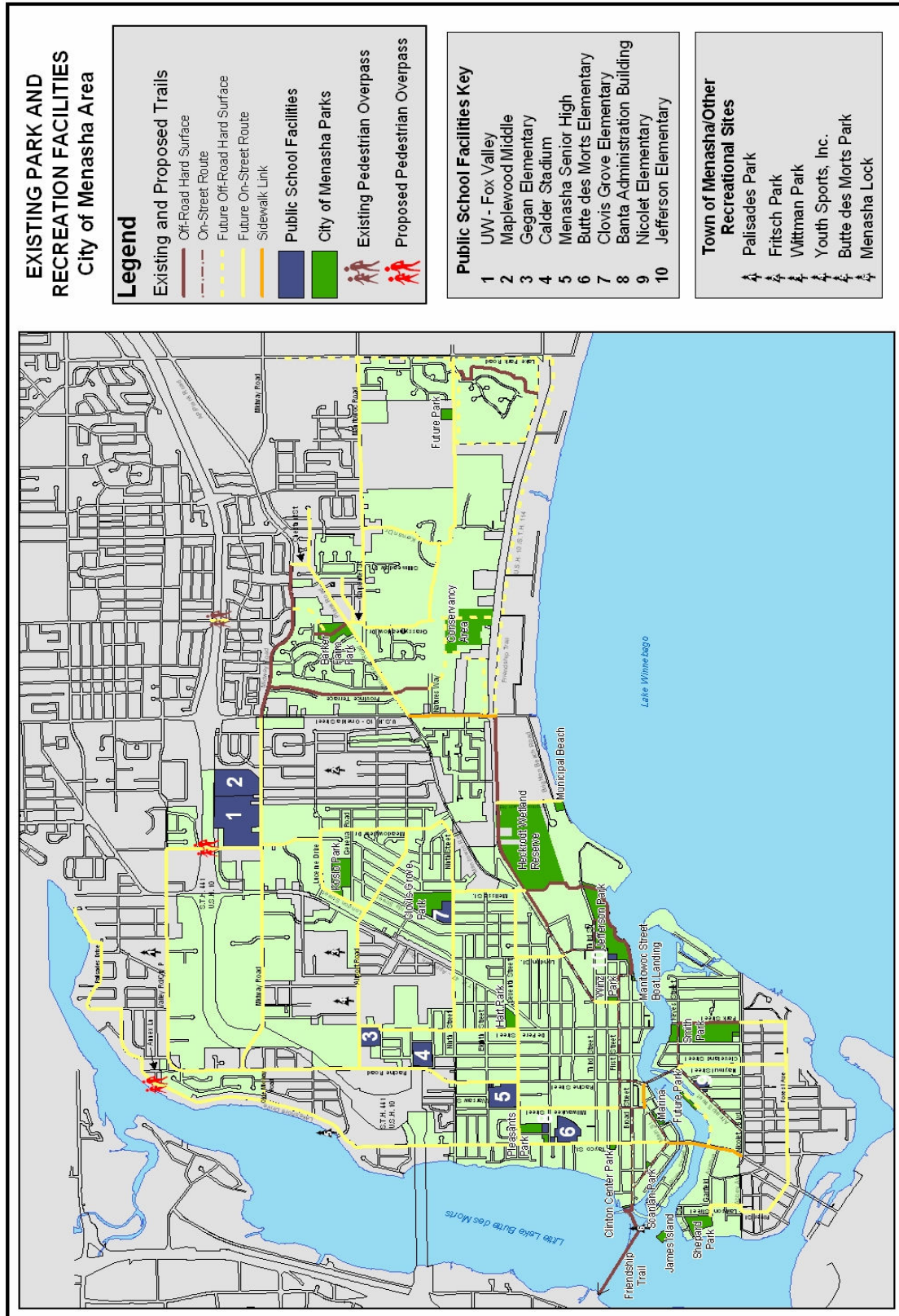
Chart of Parks and Recreation Facilities

City of Menasha Parks and Recreation Facilities	Acres	Mini Park	Neighborhood Park	Community Park	Special Purpose Park	Play Equipment	Open Play/Athletic Area	Volleyball Court	Softball	Touch/Flag Football	Basketball Court	Tennis Court	Shelter (Rental)	Restrooms	Picnic Area	Picnic Grills	Reservable Picnic Sites	Sledding	Ice Skating	Ice Hockey	In-Line Hockey	Warming Shelter	Baseball Diamond	Soccer Fields	Parking Areas	Concession Stand	Horseshoe Courts	Mountain Biking	Hiking/X-Country Sking	Pleasure Driving	Swimming	Fishing	Boat Launch	Temporary Boat Docking	Boat Slips (Rental)	Natural Area	Public Gardens	Historic Site	Paved Trail			
Veterans Park	.5																																									
Scanlon Park	.5																																									
Clinton Center Park	.6																																									
Cloviss Grove Park	12.5							2		S	7L																															
Hart Park	3.9										L																															
Pleasants Park	5.3											4																														
Shepard Park	3.7																																									
Koslo Park	12.0																						1L																			
Jefferson Park	28.9							2	3L	S	4																					P										
Smith Park	23.9										5																															
James Island	5.0																																									
Heckrodt Wetland Reserve	76.0																																									
Ninth St. Boat Launch	.8																																									
Winz Park	.5											2																														
Menasha Marina	3.0																																									
Manitowoc St. Boat Launch	.2																																									
Municipal Beach	1.4																																									
Barker Farm Park	8.9																																									
Conservancy Area	44.0																																									
Total	231.6																																									
* Does not include terraces, boulevards & other greenspace throughout the city.																																										

* Does not include terraces, boulevards & other greenspace throughout the city.

FIGURE 2

Existing Park and Recreation Facilities



Back of Map

Special Use Parks and Facilities

Menasha Marina and Riverwalk. Built in 1987, and a cornerstone of Menasha's redevelopment efforts, this important amenity is located in the heart of the downtown. The Marina and Riverwalk, which encompasses approximately 3 acres, is the site for numerous special events including a Steak Fry. The complex accommodates seasonal and transient docking for watercraft up to 40 feet in length. There are 88 slips located in the Marina and approximately 25+ transient slips located along the beautiful Riverwalk. Slips are equipped with potable water and electricity. City parks crews have recently begun replacing pier decking and replacing floats. Marina patrons also have use of shower facilities, gasoline sales, sanitary head pumpout, and a "ship's store". Adequate parking for Marina users is just a short walk away from the facility.

Conservancy Area East of Oneida Street. This conservancy area is presently over 40 acres in size but plans call for possible expansion to 100+ acres. The area consists primarily of wetlands so a modest development plan was approved in 2000. A parking lot is available off of Hwy. 10/114. As funds and time permit, additional trails could be cleared and marked to accommodate hiking and cross-country skiing. A modest wetland restoration project was undertaken in the spring of 2001 as part of a wetland mitigation process that was overseen by the DNR and the EPA.

Municipal Beach. A 1.4-acre parcel located on the shores of Lake Winnebago at the south end of Brighton Beach Road, the tract includes picnic facilities, a small play area, a sand volleyball court, and an unsupervised swimming area with a shorewall and beach area.

James Island. James Island is a 2.1-acre island located at the mouth of the Menasha Channel offshore of Shepard Park. The island is accessible by boat and is maintained in a natural wooded state. The island is home to a large colony of cormorants.

Winz Park. Winz Park is a unique 0.5-acre "hard surface" play area utilizing the top of the Menasha Utility's clearwell water storage facility. Located on the corner of Second and Manitowoc streets, the park features two tennis courts, 1-1/2 basketball courts, and a hard surface activity area.

Curtis Reed Square. Named after one of Menasha's founding fathers, Curtis Reed Square serves as an urban plaza in the heart of the downtown. Located on the north side of Main Street between Milwaukee Street and Chute Street, the 0.8-acre park was created when the former intersection of these three streets was redesigned in 1997. A large wall mural, which depicts the history of Menasha, was erected on the east wall of City Hall in 2000, providing an impressive backdrop to the square and serving as a focal point for visitors to the downtown area. The square is a hub for many outdoor civic events.

Jefferson Park Swimming Pool. Built in 1958 and renovated in 1990, the Menasha swimming pool features a 200' waterslide, zero-depth entry, a kids discovery fountain, concessions area and several large shade umbrellas. The 1990 renovation efforts did not address the condition of several key mechanical components and the bathhouse structure. Pool vessel/deck concerns have also been noted. The city should give consideration to recommendations to be contained in a

pool renovation study set to be completed in early 2007. Many decisions may be influenced by anticipated changes to state codes governing municipal pool operation.

Ninth Street Boat Launch. Located at the west end of Ninth Street, this boat launch provides two ramps for boaters wishing to use Little Lake Butte des Morts. About 0.8 acres of surfaced area provides parking for 34 car-trailer units on the north side of the street. The ramp was lengthened and the docks were rehabilitated in 2006.

Manitowoc Street Boat Launch. This boat launch is located on the south end of Manitowoc Street and provides access to Fox River and Lake Winnebago from the north bank of the Menasha Channel.

Park Street Boat Launch. The Park Street Boat Launch is located directly east of Smith Park on the north end of Park Street and provides access to the Fox River and Lake Winnebago from the south bank of the Menasha Channel.

Trestle Trail. This award winning trail facility connects the City and Town of Menasha across a 1,600' converted railroad trestle. The trail also crosses the Menasha Lock site via an unique pedestrian lift bridge donated by Miron Construction. It is extremely popular and is maintained jointly by the City and Town of Menasha. Downtown City businesses have seen an increase in bicycle traffic since the trail opened.

Public School Facilities

UW-Fox Valley. A two-year campus of the University of Wisconsin system, the UW-Fox Valley Center campus is located on the north side of Midway Road west of Maplewood Middle School. An open area behind the buildings provides for one soccer field available by reservation. Six tennis courts are also available for public use.

Menasha High School. The Menasha High School, located on the west side of Racine Street between Seventh and Eighth streets, occupies a 12.3 acre site. Facilities include an open area for interscholastic sports practice and physical education classes.

Maplewood Middle School. Maplewood Middle School is located on the north side of Midway Road in the northern portion of Menasha. Facilities include an open play area along with a football/soccer field for interscholastic sports practice/events and physical education classes. An outdoor classroom with an emphasis on nature opened in 2006.

Butte des Morts Elementary School. Located on Tayco Street between Third and Sixth streets, Butte des Morts Elementary School provides two basketball courts, a baseball field, football field and other open play area.

Banta Administration Building. Located on Sixth Street adjacent to Pleasants Park, both sites are used concurrently by children during school and non-school hours.

Clovis Grove Elementary School. The area adjacent to Clovis Grove Elementary School complements and expands the open space available at Clovis Grove Park, which lies directly to the north.

Gegan Elementary School. Gegan Elementary School occupies a nine-acre site on the south side of Airport Road in the northwestern portion of the city. A basketball court, baseball field, football field, play apparatus and open play areas are available.

Jefferson Elementary School. Other than a basketball court and some play equipment, Jefferson Elementary School provides little in the way of recreational opportunities. Its location directly west of Jefferson Park, however, allows the school to rely on facilities there for many of its recreational activities.

Calder Stadium. The Stadium is located on Racine Street at the east end of the Little Lake Butte des Morts bridge. The stadium is used almost exclusively for interscholastic varsity sporting events. A full-size practice\game soccer field was developed adjacent to the stadium in 2005. These facilities have limited availability and can be reserved for a fee. Please contact the Activities office at Menasha High School for fee/reservation information.

Town of Menasha Parks

Because of the interlocking boundary between the City of Menasha and Town of Menasha, many residents of each municipality find it convenient to utilize parks in the other's jurisdiction. The four town parks east of Little Lake Butte des Morts provide some recreational opportunities for city residents as well as one town park that is located on the west side of the lake (Fritse Park).

Palisades Park. Located adjacent to the Town Hall on Valley Road, this community park is somewhat removed from city residential areas and probably receives little use by city residents. Facilities include a variety of play apparatus, two ball diamonds, tennis courts, picnic facilities, shelter, and an ice skating rink. A unique feature is a wheelchair exercise course.

Fritsch Park. Located near the northeastern portion of the city at the intersection of Sandy Lane and Linda Avenue, Fritsch Park is a neighborhood park some 18 acres in size. Facilities include a shelter with restrooms, picnic area, a pavilion with a kitchen, playground equipment, ball diamond, a basketball court, soccer field, a volleyball court, horseshoe pits, ice rink and a sledding area.

Fritse Park. This 15 acre park is located on the western shore of Little Lake Butte des Morts and provides a link via the Friendship Trestle Trail to the City of Menasha. The park includes a boat launch, basketball court, a pavilion with a kitchen, picnic area, playground equipment, sledding hill, and a volleyball court. The Town has undertaken an extensive master planning effort for the park. The proposed development will greatly enhance the site/trail as a new tourist destination.

Wittmann Park. Wittmann Park is located on the north side of Airport Road and is relatively convenient to a sizable number of Menasha residents. Facilities available at this 25-acre community park include a shelter, restrooms, picnic facilities, play equipment, and basketball and tennis courts and soccer fields.

Butte des Morts Park. A neighborhood rec lot located at the intersection of Lakeshore Drive and Frances Street, this two-acre site provides access to Little Lake Butte des Morts. This site primarily serves the immediate residential area, fisherman and flat water kayakers occasionally use this site. There is a natural area along with a trail and playground equipment.

Non-Profit Facilities

Two separate non-profit sports organizations share a 10.5-acre site north of Airport Road in the north central portion of the City. The Menasha Area Soccer Club plays on five soccer fields and the Youth Sports, Inc. plays on four baseball diamonds, one being a high school dimension field.

Parochial Schools

A limited range of recreational opportunities is available at each of the city's four parochial schools. These sites can be considered as neighborhood rec lots, serving residents of the immediate area. Facilities typically include play equipment and hard surface play area.

Menasha Lock Site Per an agreement with the State Dept. of Administration, this site, along with the other lock sites on the Fox River, were turned over to the Fox River Navigational System Authority (FRNSA). The city has partnered with the FRNSA to establish the lock grounds as a public greenspace. This partnership began when plans were made to cross the lock site with a separate pedestrian lift bridge. The lift bridge connects trail users to the popular "Trestle Trail" which spans Little Lake Butte Des Morts which opened in August of 2005. The trestle trail is a key link into the State Friendship Trail which is planned to one day to traverse from Stevens Point to Manitowoc.

Heckrodt Wetland Reserve Heckrodt Wetland Reserve is a 72-acre natural area located south of Old Plank Road on Menasha's east side. This facility is owned by the City. Heckrodt Wetland Reserve (HWR), Inc., a non-profit organization independent of the City, is currently responsible for its operation. With the 1999 dedication of a full-service nature center, numerous education programs for people of all ages are available. A large paved parking area serves the building and provides a trailhead for a 2.0-mile boardwalk trail and pond observation deck, which are used extensively by families. During the winter, the trail is primarily used by walkers. A marked snowshoeing trail is available in the winter. Bikes, pets, and alcohol are not allowed in the Reserve. The HWR purchased an additional 11.0 acres west of the Lopas Channel in 2005. Approximately half of this former fill site is being transformed into a prairie meadow with a short interpretive trail system.

GOALS AND OBJECTIVES

The following goals and objectives were developed by the Menasha Parks and Recreation Board after revisiting long-range goals identified in earlier plans. They are intended to serve as a guide for creating the type of park and recreation system the city's residents would enjoy. The goals are stated as desirable conditions to strive for in the future. They are common ideals of the community that can be achieved through the actions of government leaders, private organizations, and individual citizens. Objectives specify in greater detail how these desired goals can be achieved. The goals and objectives provide a basis for establishing City policy regarding the planning, acquisition and future development of park and recreation facilities.

GOAL: To establish a communitywide system of parks, open space and park facilities that will provide all residents of Menasha with adequate recreational opportunities.

Objectives:

- Provide park and recreational facilities that adequately serve all residential areas of the community.
- Ensure that newly developed residential areas are provided with adequate and accessible park and recreational facilities.
- Provide a wide variety of recreational activities that will serve the residents of Menasha on a year-round basis.
- Maintain program reciprocity with the Cities of Appleton and Neenah and the Town of Menasha. Explore expanding agreements to other neighboring communities.
- Maintain and/or improve existing park and recreational facilities to meet community standards, needs and expectations.
- Provide safe and adequate accessibility to all community park and recreation areas.
- Design accessible active and passive recreational areas and park facilities that can be utilized by elderly and physically challenged citizens.
- Continue pursuing co-sponsored recreation programs with neighboring community recreation departments and related organizations.

GOAL: To conserve, protect and beautify natural resources in the city and surrounding environs.

Objectives:

- Make protection of the city's natural resources a priority in land use planning decisions as well as site planning activities.
- Ensure that environmental and aesthetic qualities of the community are considered when planning for park and recreational development.
- Preserve and maintain natural drainageways, woods, and other natural resource areas in and around the community and, where possible, utilize these areas for appropriate recreational development.
- Encourage private sector participation in preserving natural and wooded areas whenever possible.
- Maintain and improve the quality of water resources in the city.

GOAL: To encourage cooperation with adjacent municipalities, the Menasha School District, local groups and organizations, and developers to maximize the cost-effectiveness of providing open space and recreational facilities.

Objectives:

- Work jointly to avoid unnecessary duplication of facilities and programs and seek equitable ways of sharing the burden for acquiring, developing, and maintaining parks and other recreational facilities.
- Work jointly to coordinate facilities such as recreational trails and on-road bicycle and pedestrian accommodations to achieve linkage across jurisdictional boundaries.
- Encourage cooperative community/school projects to improve and expand indoor and outdoor recreational facilities at existing and future school sites.
- Work with developers in identifying and reserving sites which are capable and suitable for accommodating appropriate future recreational uses such as open space, trails, etc.
- Solicit the support of community groups and service organizations as a way of funding and/or undertaking improvements benefiting residents of the city.
- Maintain program reciprocity agreements with the Cities of Appleton and Neenah and the Town of Menasha by exploring reciprocity opportunities with other neighboring communities.

GOAL: To encourage continued involvement of Menasha residents when planning for park and recreational development.

Objectives:

- Conduct public meetings, focus groups, etc. to permit and encourage involvement by individual citizens as well as special interest groups in developing Menasha's open space and recreation facilities plan.
- Conduct neighborhood public informational meetings when significant development is planned in any park.
- Encourage ongoing participation by all residents, particularly those who are elderly and physically challenged, at Parks and Recreation Board meetings.
- Solicit ongoing comments from Menasha residents on all aspects of park and recreational programming and management.

PARKS AND RECREATION NEEDS ASSESSMENT

CHANGES TO PARK IMPACT FEE LAW

Park and recreation needs may include the need for additional parkland to accommodate new facilities, the need for additional parks in areas not adequately served by existing facilities or where new residential growth is occurring, or the need for new or improved park facilities and equipment. This section addresses recent changes to Wisconsin Statute Section 66.0617 pertaining to park impact fees. A needs assessment that justifies why a fee should be imposed is required under section 66.017(4)a. A municipality can no longer impose a park fee in its subdivision ordinance as a condition of subdivision plat approval. Municipalities have authority under section 66.0617 to impose a fee on new land development for capital costs to construct, expand, or improve park facilities. This includes the cost of land for, among other things, parks, playgrounds, and athletic fields needed as the result of new development. For the purposes of this assessment, a 10-year timeframe (2007-2016) will be used. Ten years is the maximum amount of time a municipality has to expend impact fees that were collected.

LAND NEEDS

A standard of 10 acres of open space for every 1,000 residents is often used as a basis for estimating the land area that should be provided for general recreational use in a community. This standard suggests that about 169 acres of parks and other open space lands should be available to meet the needs of the City of Menasha's 17,000 residents. **The 231 existing acres in the City's parks alone indicates that adequate acreage is presently available to accommodate Menasha's recreational needs.** This total includes the 43-acre undeveloped conservancy area east of Oneida Street and the Heckrodt Wetland Reserve. This total excludes the 4.0 acre future neighborhood park west of Lake Park Road and the 2.0 acre park on the Fox River at the old Gilbert Paper Company site. These two new parks would place the total park and acreage at 237. It should be noted that these figures do not include the ten public school facilities, five Town of Menasha parks and the Lock site which are all east of Little Lake Butte des Morts which provide a significant amount of open space and recreation facilities available to our City residents. **This amount of land should be adequate enough to meet recreational needs as the City reaches the limits of its growth area.**

LOCATIONAL NEEDS

The key consideration in meeting locational needs is to ensure that all community residents have safe and convenient access to a range of recreational facilities. Ideally, recreational facilities should be available within a quarter-mile or five-minute walk, unimpeded by natural and man-made barriers, such as open water, non-residential land use, and busy streets. For planning purposes, these barriers define neighborhood boundaries. It is desirable that recreational facilities be available within each neighborhood.

Together, these barriers divide the city into seven neighborhoods, generally radiating out from the east end of the downtown area. Menasha's neighborhoods are divided by the Menasha Channel of the Fox River and its adjacent industrial area and by those streets classified as traffic arterials. These typically carry over 10,000 vehicles per day, providing a significant hazard for pedestrians, particularly children and less mobile residents. The present distribution of parks and schools within the city provides each of its neighborhoods with a good range of convenient recreational facilities. As new residential areas develop, however, new park sites will be needed to serve these residents. The dedication of Barker Farm Park in 2005 serves the developing neighborhood east of Oneida Street and is an example of the City's commitment to addressing this need.

FACILITY NEEDS

Most of the facility needs revolve around continued provision of a well-balanced and maintained park system. The City should continue to actively pursue its downtown redevelopment plans. Menasha has the best water access of any Fox Cities community. **Economic diversification that would recreate the City towards a more water based, outdoor tourism destination will be key to future inner-city vitality.** The Menasha Marina and Trestle Trail are examples of outdoor recreation venues that already bring visitors (spending) to the city. A proposal to construct a whitewater park in an old by-pass canal south of the Menasha Dam is another example of a unique attraction that would bring visitors and new businesses to the community. Other identified needs include the development of a city-wide system of bicycle trails/routes; additional areas which can be maintained primarily in their natural state to provide recreational opportunities such as cross-country skiing, hiking, and nature study.

PROJECTED FUTURE HOUSEHOLDS/DWELLING UNITS

The information in this section was compiled with assistance from the City's Community Development Department. Because of boundary agreements with the City of Appleton, Town of Menasha, and the Town of Harrison, Menasha has a finite growth area that limits the need for planning for parks and recreation facilities beyond the boundary limits. In the next 10 years the City's population is expected to increase by approximately 2,000 people. Using an average of 2.8 people per dwelling unit, it is estimated that 714 households/dwelling units will constitute 12% of the new total. This 12% figure should be used as the basis for allocating future costs of parkland acquisition and capital costs to build, expand, or improve recreation facilities like the swimming pool, tennis courts, and trails.

ESTIMATED FUTURE CAPITAL COSTS OF PARKS AND RECREATION DEVELOPMENT

As indicated previously, the City appears to have adequate parkland out to the limits of its boundary agreements. This assumes an approximate 4.0 acre neighborhood park near Lake Park Road and the 2.0 acre park at the old Gilbert Paper Company site that will be added in the future. For future planning purposes and to serve as a guide to establishing a justifiable Park Impact fee,

a list of potential future land acquisition, park/trail development and improvements to existing community facilities are listed on page 21. **These may only be development or improvement projects that the entire community can conceivably benefit from.** Cost estimates are based off of national or local standards. For example, \$22,000 per acre was assumed as the price of raw land and \$2,500 for wetlands. A development cost of \$40,000 per acre was assumed for a typical neighborhood park.

**TABLE 3
ESTIMATED CAPITAL COSTS**

For new and broad community based projects – 2007 – 2016

***These projects have the potential to receive State grants which may offset some of the project cost. Existing Park Impact funds may also be utilized.**

<u>Location</u>	<u>Need</u>	<u>Estimated Cost \$</u>
Neighborhood Park near Lake Park Road	Acquire approximately 3.0 additional acres	*\$66,000
Neighborhood Park near Lake Park Road	Development costs for the park	*\$120,000
Wetlands east of the gas station at the northeast corner of Oneida/114	Some land needed for trail development	*\$75,000 (easements may be an option)
Trail Development (asphalt & boardwalk) Oneida Street to Conservancy and north link to Province Terrace	Provide safe access to Conservancy trails from the west and north	*\$130,000
2.0 Acre Park Old Gilbert Paper Company Site—Public Greenspace and Whitewater Park	Potential as a significant economic attraction and stimulus for downtown businesses	*Land to be donated, mostly in-kind contributions and donated services. Local share mainly in-kind labor, instead of cash.
Clovis Grove Tennis Court Rehabilitation	Community facility in need of future resurfacing.	\$161,000
Swimming Pool Rehabilitation	Address deficiencies in the pool tank, upgrade pool filtration, deck and bathhouse for operational efficiency, user satisfaction and code compliance.	\$2,000,000 (2007 consultant estimate)
	Total:	\$2,552,000

Calculation for Park Impact Fee

0.12 (12% of new city population by 2016) x \$2,552,000=\$306,240

\$306, 240 ÷714 dwelling units = \$428.90 (\$430.00)

Current impact fee is \$300.00

Estimated revenue generated by new impact fee for 10 year period: \$307,020

A revision to City Ordinance O-18-92 is required under Wisconsin Statute Section 66.0617. This revision can include a change to the current \$300 fee in lieu of land paid by developers.

IDEAS AND RECOMMENDATIONS

The following ideas and recommendations are intended to serve as a guide for future development of park and recreation areas in the City of Menasha. **Some are more conceptual than others and would require further analysis before implementation.**

EXISTING PARK SITES

Jefferson Park

1. The potential use of the pre-settlement basin as a future marina for small boats should be investigated.
2. The current boat slip area in the east end of the park should be renovated, eliminated, or reconstructed to accommodate a few less boats and/or greater public access. This could be renovated along with a possible Reserve Building redevelopment project.
3. Playground equipment should be updated and replaced as needed.
4. Consider acquiring, renovating, and utilizing the Army Reserve building for City use. Demolition and a taxable development combined with adding greenspace is also a possibility.
5. Consider a small unisex restroom facility to serve users of the south ball diamond and area west of the boulevard.
6. Repair the east end parking lot.

Menasha Lock Site

1. Consider installing a non-motorized canoe\kayak portage facility. Such a facility should coincide with a water trail route under consideration by local paddling organizations.

Smith Park

1. Consider building a small sledding hill north or west of the pavilion.
2. Consider modest rehabilitation of the outdoor youth theater southwest of pavilion recently being utilized by Shooting Starr Productions.
3. Consider adding a small "splash pad" water feature for kids.

Memorial Building

1. Options for first floor restrooms are limited due to limited size and the occupancy by the Menasha Historical Society.
2. Consider full handicapped accessibility of the entire building. This could reduce the number of stalls.

Koslo Park

1. Consider adding a restroom and public use structure on to the existing pole shelter on the east end of the park.
2. Diamond lighting should be installed on softball diamond if demand warrants.
3. Consider parking lot expansion to the east or perhaps to the west side of the park.
4. Consider replacing backstop as needed.
5. Add an overhang structure off the south side of the building to accommodate concession sales and shade for fans.
6. Consider adding a small "splash pad" water feature for kids.
7. Resurface existing basketball court as needed.

Clovis Grove Park

1. Consider a small skatepark area, preferably near the drinking fountain and restrooms.
2. Consider adding a small "splash pad" water feature for kids.
3. Resurface/repair seven tennis courts as needed.

Hart Park

1. Consider adding some equipment to the skatepark in the northeast corner of the existing concrete slab.

Pleasants Park

1. Resurface/repair four tennis courts as needed.

Shepard Park

Other than routine maintenance, no actions are recommended.

Barker Farm Park

1. Complete the installation of a softball/little league sized baseball diamond.
2. Install a park identification sign and add additional landscape plantings as needed.
3. Consider adding an east/west paved bike path to connect with the Midway Road trail.
4. Consider lighting the tennis courts and adding a rebound board.
5. Consider constructing a small "splash pad" water feature for kids.

Veterans Park – Park was eliminated in 2002 with the new library expansion.

Clinton Center Park

1. Play equipment should be updated as needed.
2. Expansion of the park should be considered should adjacent property become available for acquisition or through easement.
3. Resurface existing basketball courts as needed.

Scanlan Park

1. Play equipment should be updated as needed.

James Island

1. This park should continue to be maintained in its natural state. Only low impact uses should be accommodated.
2. Consider adding shoreline armoring on the upstream side of the island for erosion control.

Other Parks/Greenspaces Designated by Resolution in 2004

Kaukauna, Tayco and Main Street Fountains—routine maintenance recommended.

Riverview Park (a.k.a. "Power Pole Park")—shorewall area will need future attention.

Lakeview Park (a.k.a. "Nicolet Blvd. greenspace")—consider landscape improvements, pave short gravel path.

Various Friendship Trail Segments and Lake Park Villa Perimeter Trail—routine maintenance recommended.

Gatehouse Park—building sold to private individual in 2007.

All other public spaces in the resolution are addressed in others sections of this document.

Municipal Beach

1. Consider upgrading existing rock shoreline as needed.
2. Upgrade playground equipment as needed.
3. Consider a small unisex restroom/changing room facility.

Ninth Street Boat Launch

1. Redesign lot, including landscape upgrade on Ninth and Tayco Streets.
2. Consider small unisex restroom building for boaters.

Manitowoc Street Boat Launch

Opportunities for expanding off-street parking should be explored.

Park Street Boat Launch

Other than routine maintenance, no actions are recommended.

Winz Park

1. Consider placing smaller play equipment in the northeast section of the site, with a rubberized or equivalent soft surfacing.
2. Resurface court area as needed.

Conservancy Area

1. Consider expanding trail system to include some boardwalk bridges over ponds.
2. Consider building an observation deck with a fishing area.
3. Connect the existing trail system west towards Province Terrace.
4. Acquire adjacent acreage to the east as it becomes available.
5. Consider a unisex toilet facility near the parking lot.
6. Consider other development options compatible with a natural site.

Menasha Marina and Riverwalk

1. Consider extending the Riverwalk along the canal westward from Washington Street to the Menasha Lock. This project would be designed to encourage greater pedestrian use of the canal bank and to stimulate redevelopment activity in the area.
2. Complete the re-docking and float replacement project.
3. Continue considering annual improvement requests from the Harbormaster.

NEW PARK AND RECREATIONAL FACILITIES

Area East of Hwy. 10

Steps should be taken to make sure; if possible, that future residential growth in the area east of Hwy. 10 has convenient access to park facilities. If possible, the City should work cooperatively with the City of Appleton and the Town of Harrison in planning and developing park sites in this area.

The City should also continue to purchase wetlands and other open space in this area as they become available. The acquisition of existing natural drainageways should also be pursued.

A small neighborhood park near Lake Park Road will be needed as residential growth continues. The City of Appleton should consider adding a park somewhere north of Manitowoc Road. The City has already begun a process to secure parkland from a developer in this area.

Brighton Drive Lake Access (75')

This site was obtained by the City and is east of Jefferson Park. Some discussion has been had over what recreation-related development may occur on this site. This area could also be a possible site for a new water inlet line. Those activities would not strain already limited available parking in the area. Purchasing additional properties to the west should be considered as further development plans arise.

Water Trails

Recreational flatwater kayaking is the fastest growing paddle sport in the United States. Like their land trail counterpart, many regions around the country have begun to develop point to point water trails. These trails typically follow a route highlighted by points of interest and amenities such as launch sites, restrooms, drinking water, parks, restaurants, etc. They can provide the urban paddler the best of both worlds, a sense of adventure and exercise with the convenience of being close to home. Several communities have begun to discuss a Fox River Waste Trail route in concept. Fox Cities Greenways, Inc has supported the idea from the start. The idea of developing a water-trail system along the Fox River fits well with the plans for the Fox River Heritage Corridor Parkway supported by the WDNR. NRDA funding should be considered for this project.

Old Gilbert Paper Company Site—Public Greenspace and Whitewater Park

Whitewater parks have become very popular in many states, particularly in Colorado. **Communities have seen dramatic economic activity from both an ecotourism perspective and by people and businesses drawn to a community offering active lifestyle amenities.** Whitewater parks are not built for the relatively small number of kayak enthusiasts that would use it. These parks become a community gathering spot where non-paddlers typically out number paddlers 20 to 1. Walking, picnicking or spectating are just some of the activities people partake in. These parks can be incorporated into existing or future park/trail systems or into other riverfront development plans a community may have. The City of Menasha has a potential site in the vicinity of the vacated Gilbert Paper Company site. In 2006, a consultant ranked the Gilbert site as having the best potential for the development of a whitewater park along the Fox River. The idea of this type of park fits well with the plans for the Fox River Heritage Corridor Parkway supported by the WDNR. NRDA (for Fox River remediation projects) funding should also be considered for this project as with the water trails. The owner/developer has indicated a willingness to donate the land for park development. Donated value can leverage greater support which means less direct City funding may be required.

Friendship Trail – Fox Cities Trestle

Commonly referred to as the “Trestle Trail”, this extremely popular trail segment opened for recreational enthusiasts in August of 2005. The City and Town of Menasha have agreed to jointly operate and maintain the trail. The Town of Menasha has plans to construct a Heritage Adventure Center at the newly expanded Fritse Park site.

Skateparks

While the popularity of skateboarding has leveled off a bit, it has remained a popular activity among the pre-teen through the young adult population. In November of 2002, The City of Menasha opened a 7,000 square foot outdoor skate park in Hart Park. The park has been received very well and has gotten a lot of use over the past several years. Lights were recently added in 2005 to allow for nighttime skating. Other local communities have added similar outdoor parks. The only indoor park in the Fox Cities area at this time is located in Kimberly. There is talk of another indoor park in the works. The City of Appleton should consider building a large public outdoor facility.

Bike Trails & Routes

A signed system of designated bike routes linking schools, parks, and other destinations should be developed throughout the city. It appears unlikely that Canadian National will ever abandon its track heading east toward High Cliff State Park. In the meantime, the City should work cooperatively with the WDNR, Calumet County, and the Town of Harrison as well as other governmental entities to create a marked bike route from Menasha to High Cliff State Park. Extending the Friendship Trail on the south-side of STH 10/114 between Oneida Street and CTH LP (Firelane 8) is the safest, most direct and the preferred route. DOT Enhancement and/or Stewardship grants should be pursued for this project. The first step should be to have the WDNR acquire all the necessary property.

The recently completed off-road bike/pedestrian pathway along the south side of Plank Road (STH 114) provides safe access to the Heckrodt Wetland Reserve and serves as a link in the Friendship Trail. As a companion project, the City should consider the development of a northerly trail connection from Plank Road to Midway Road via Province Terrace. Strong consideration should be given to lighting part of the Friendship Trail immediately southwest of the Heckrodt Wetland Reserve (north of the railroad tracks). The Friendship Trail extends westerly from Jefferson Park along city streets to the Menasha Lock site before crossing on the Little Lake Butte des Morts trestle. Route signs and road striping should be considered in these locations. A coordinated program to identify, mark or sign bike/pedestrian linkages to neighboring communities should also be considered.

Recommended Bike Trail/Routes

The City has constructed many trail/route segments in recent years. These facilities provide a healthful recreation transportation option and are a vital tourism amenity. **The following routes are intended to be a guide for future bike/pedestrian planning (see Figure 2). It does not consider sidewalk connections. Some of the most vital trails/routes that the City should pursue over the next five years include:**

- Province Terrace – Midway Road to Manitowoc Road under construction (off road).
- Continue Province Terrace south of Manitowoc Road southwest to the corner of Oneida Street (10/114) intersection – some boardwalk and land acquisition required (off road).
- Province Terrace south of Manitowoc Road, southeast to Conservancy Area – some boardwalk again required (off road), allows people to access trails in the Conservancy Area.
- Barker Farm Park east to Midway Road (off road), work with future developers.
- Oneida Street to Lake Park Road (Friendship Trail south side of 10/114).
- Lake Park Road , north of 10/114 intersection – west side to Manitowoc Road, work with Town of Harrison, and City of Appleton to extend the trail further north.
- Carpenter Street right-of-way (across Plank Road) connection to Barker Farm Park.
- Sidewalk link from Stillmeadow subdivision west to Carpenter Street.
- Construct a pedestrian bridge on the north end of Lakeshore Drive connecting to Annex Lane in the Town of Menasha.
- Consider constructing a pedestrian overpass over STH 441 to connect University and Chain Drive.

CITY BEAUTIFICATION AND REDEVELOPMENT

Several recent projects point to the positive results that can be achieved through community beautification efforts. These have not only improved the image of the City of Menasha in the eyes of visitors, they have also increased community pride among local residents. There are a number of opportunities for furthering these recent efforts.

1. With its enviable waterfront location, the core of Menasha is ideally suited for economic revitalization. The paper industry continues to struggle and simply maintaining a core of employees in the area will be a challenge in the years to come. **Economic diversity needs to be part of Menasha's future. A water based, ecotourism type of economy is key to this transformation.** Kayakers, walkers, and bicyclists are being seen in greater numbers. Along with the opening of the Trestle Trail, condominium development, Curtis Reed Square, a new movie theatre, and quality shopping have all improved the identity of Menasha and with it has drawn people to the downtown area. The City should do whatever it can to continue fostering this transformation. Creation of a public park, with a whitewater course and walking trails connecting to the Trestle Trail would continue to spur economic revitalization and bring people to the downtown area.
2. The City's General Streetscape Plan, adopted several years ago, called for improvements primarily in the downtown area, should be considered for implementation. The removal of

two old gas stations along the Racine Street corridor across from the library creates an excellent opportunity for public beautification.

3. Visually prominent locations and other major features that serve as important focal points should be identified and steps taken to make them aesthetically pleasing. Particular attention should be given to creating attractive entrances into the City, not only through public projects such as signing plazas but also through beautification efforts undertaken by private investment.
4. A possible landscape corridor exists on the eastside of Racine Street and the corridor between Broad and Second Streets. An attractively landscape area with both static and interactive features to attract people to the site would fit well with other recent downtown enhancements.
5. A system of "wayfinding" signs directing people to prominent destinations should be implemented. The Fox Cities Convention and Visitors Bureau plan should be considered.

PARK DEPARTMENT POLICY AND MANAGEMENT

1. The City should continue taking steps to acquire at least one more neighborhood park site in the vicinity of the Lake Park Villa subdivision.
2. Opportunities for participating in various funding components of the Stewardship Program (i.e., Urban Rivers, Urban Green Space, Safe Route to Schools, and Acquisition of Development Rights) should be identified and pursued.
3. The City should continue to maintain a strong working relationship (i.e., reciprocity agreements) with the Menasha School District and the cities of Neenah and Appleton Parks and Recreation Departments as well as with the Town of Menasha.
4. The Parks Division should continue recent efforts with the Streets & Sanitation Department towards assigning staff to where the greatest need is at the time. A complete merging of the parks division with the Street and Sanitation division may not be in the best interest of the park system because of potential for less time being allocated to park maintenance and operations.
5. The Army Reserve building is scheduled to be vacated in 2008, with the building and grounds to be made available to the City in early 2010. Some deficiencies with the structure may make it cost prohibitive to update to modern, public standards. However, a large two bay garage in back of the building seems to be in good condition. A complete structural analysis and careful consideration of all possible uses should be undertaken in the near the future.

PARK IMPROVEMENT RECOMMENDATIONS

The following is a list of projects the City of Menasha Department of Parks, Recreation, Forestry and Cemeteries and the Menasha Parks and Recreation Board should consider for implementation over the next five years. **This list represents projects that are more essential and includes some from the Ideas and Recommendations section starting on page 21.** An emphasis will be placed on maintaining existing facilities, with the acquisition and development of one neighborhood park being completed within the next five years. Project costs and implementation schedule are left to the discretion of staff, the Parks and Recreation Board, Mayor, and the Common Council.

SUGGESTED FIVE-YEAR PARKS IMPROVEMENT PROGRAM 2007-2011

RECOMMENDED PROJECTS:

Jefferson Park

- Upgrade current slip area (Combine with possible Reserve property project)
- Repave east end parking lot
- Update/Replace play equipment as needed

Jefferson Park Pool

- Pursue aggressive facility maintenance schedule

Smith Park

- Resurface basketball courts as needed

Koslo Park

- Construct overhang on southside concession building
- Update/Replace play equipment as needed
- Resurface basketball

Barker Farms Park

- Complete small baseball diamond
- Add a park ID sign and additional landscaping

Hart Park

- Add small pieces to the existing park

Pleasants Park

- Resurface four tennis courts

Clovis Grove Park

- Resurface tennis courts
- Update/replace playground equipment as needed

Clinton Center Park

- Update/replace playground equipment as needed

Municipal Beach

- Update/replace playground equipment as needed

Conservancy Area

- Connect trail system west to Province Terrace trail segment

Ninth Street Boat Landing

- Parking lot and landscape upgrade

New Neighborhood Park

- Acquire approximately 4.0 acres of land
- Develop and begin implementation of park master plan for site (TBD)

Winz Park

- Add small piece of playground equipment with protective surfacing in the northeast corner of the park
- Resurface court area as needed

Gilbert Paper Company Park Site

- Accept land donation from developer (to be used to leverage grant monies)
- Develop and begin implementation of preliminary engineering and park master planning (including a whitewater course) for the 2.0 acre site (TBD)

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RESOLUTION NO. _____

**ADOPTION OF THE CITY OF MENASHA
OPEN SPACE AND RECREATION FACILITIES PLAN**

WHEREAS, the City of Menasha has requested the development of a communitywide open space and recreation facilities plan, and

WHEREAS, the City of Menasha Parks and Recreation Board has worked closely with the East Central Wisconsin Regional Planning Commission to prepare the city's Open Space and Recreation Facilities Plan, and

WHEREAS, the City of Menasha Open Space and Recreation Facilities Plan encompasses a general outline and is a valuable tool for development of parks and recreation facilities throughout the city through the year 2011, and

WHEREAS, adoption of said plan is required for the City of Menasha to become eligible for cost sharing aid programs administered by the State of Wisconsin, now therefore,

BE IT RESOLVED BY THE MENASHA COMMON COUNCIL:

That the ***City of Menasha Open Space and Recreation Facilities Plan*** be adopted as the approved recreation plan for the city.

Roll Call on Resolution No. _____

Ayes _____ Nays _____ Absent _____

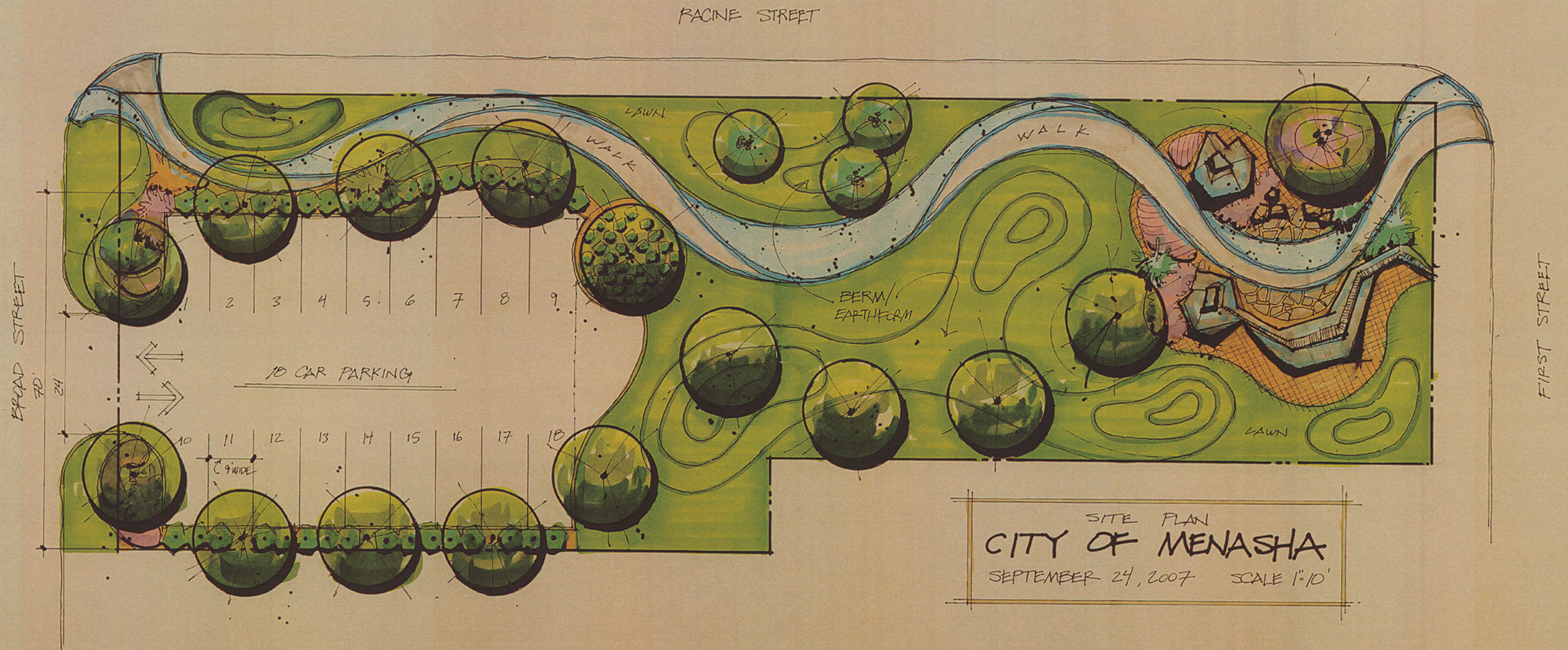
Passed and adopted this _____ day

of _____, 2007

Signed by:

Mayor

Clerk





MEMORANDUM

TO: Mayor Laux, Council President Michalkiewicz and the members of
the City of Menasha Common Council

FROM: City Comptroller/Treasurer Stoffel *trs*

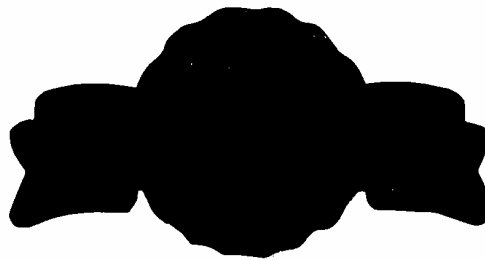
DATE: 11/13/07

SUBJECT: Property Assessment Services

Included in your packet for the Administration Committee is a four year proposal for services from Associated Appraisal Consultants, Inc. I believe they have fulfilled the duties expected of them in their first year with the City and I would recommend you take action to accept their proposal and retain the services of Associated Appraisal Consultants, Inc. to perform the duties of property assessment and tax listing for the City of Menasha.

**CITY OF MENASHA
CALUMET & WINNEBAGO COUNTIES**

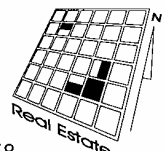
**PROPERTY ASSESSMENT MAINTENANCE
AND TAX LISTING SERVICES
2008-2011**



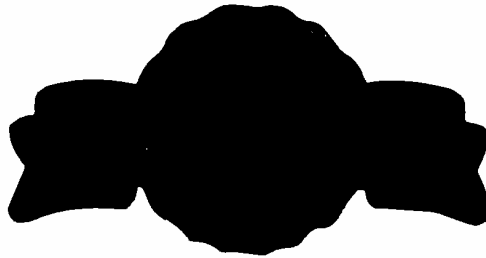
Associated Appraisal Consultants, Inc.

Appleton ■ Hurley ■ Lake Geneva

1314 W. College Ave. ■ P.O. Box 2111 ■ Appleton, WI 54912-2111 ■ (920) 749-1995 ■ FAX: (920) 731-4158



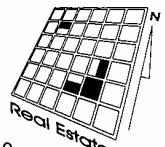
**ASSOCIATED WILL PERFORM ALL OF THE
SPECIFIC
SERVICES OUTLINED IN THE REQUEST
FOR PROPOSALS
FROM 2006 FROM THE CITY OF MENASHA**



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SCOPE OF SERVICES TO BE PROVIDED BY ASSESSMENT FIRM

1. **CONFORMANCE TO STATUTES.** All work shall be accomplished in accordance with the provisions of the laws of the State of Wisconsin and in full compliance with all the rules and regulations officially adopted and promulgated by the Wisconsin Department of Revenue.
2. **OATH OF OFFICE.** (a) Employees of the Assessment Firm shall be required to take and subscribe to an oath or affirmation supporting the Constitution of the United States and to the State of Wisconsin and to faithfully perform the duties of assessor. The oath shall conform to Section 19.01 and be filed with the City Clerk prior to undertaking any of said duties.
3. **PERSONNEL.** (a) All personnel providing assessing services shall be currently certified in compliance with Wisconsin Statutes and Administrative rules of the Department of Revenue.

(b) The Assessment Firm shall submit a resume containing the name, address, education and prior experience of each employee for approval of the city before field inspection work is started by the employee.

(c) The Assessment Firm shall designate a qualified and responsible employee to supervise the operation of the staff executing the terms of the agreement for assessment services. The individual designated as such shall make himself/herself available to the city for consultation throughout the term of the agreement. Should the project supervisor be reassigned, that person shall be replaced by an equally qualified individual.

(d) The Assessment Firm shall review any complaint relative to the conduct of its employee(s). If the city deems the performance of any of the Assessment Firm's employees to be unsatisfactory, the Assessment Firm shall, for good cause, remove such employee(s) from work upon the written request by the city, such request stating reasons for removal.

(e) The Assessment Firm shall supply all its field representatives with identification cards containing, in addition to the usual information, a photograph of the employee.
4. **ASSESSMENT MANUAL.** The Assessor shall make all assessments in accordance with the Assessors Manual as specified in Section 70.32 and 70.34.
5. **ACCURATE PARCEL IDENTIFICATION.** The legal description, drawing and measurements of each land parcel and improvements shall be contained in the existing property record cards. If a drawing is missing, the assessor shall make one. In the event a discrepancy exists, the assessor shall correct. The Assessor shall assign parcel numbers to all new parcels created by the division of land or combination of parcels.
6. **MOBILE HOMES.** The Assessment Firm shall maintain current value of mobile homes based on information provided by the mobile home park operator. This information shall be entered into the statement of monthly parking permit fees and furnished to the City of Menasha Finance Department.

7. **PERSONAL PROPERTY.** The Assessment Firm shall send by first class mail "Statement of Personal Property" forms, endeavor to discover personal property not previously listed, and enter personal property into the tax roll.
8. **ASSESSMENT DATA MAINTENANCE.** The Assessment Firm shall enter and maintain all property information in the Market Drive property assessment software program.
9. **PUBLIC ACCESS TO ASSESSMENT DATA.** The Assessment Firm shall cooperate in the development and deployment of systems to improve public access to property assessment data with the internet and public-access computer terminals.
10. **OFFICE HOURS.** The Assessment Firm shall maintain office hours within city hall from 8:00 a.m.-12:00 p.m. on Tuesdays and from 12:00 p.m.-4:00 p.m. on Thursdays, or other equivalent hours as may be mutually agreeable to the Assessment Firm and the Council.
11. **FILE MAINTENANCE:** The Assessment Firm shall regularly update the property assessment files located within City Hall.
12. **TELEPHONE ACCESS.** The Assessment Firm shall maintain at its expense an 800 telephone number dedicated to the City of Menasha staffed by a live person from 8:00 AM to 4:00 PM.
13. **TAX LISTING.** The Assessor shall function in the capacity of Property Tax Lister and maintain an accurate listing of parcels for entry into the tax roll.
14. **PREPARATION OF RECORD CARDS.** (a) Appropriate record cards shall be used in the evaluation and collection of data for residential improvements, commercial improvements, and agricultural improvements. All information relating to the improvements shall be obtained and shown as provided on their respective forms.
15. **APPROACHES TO VALUE.** (a) The Assessment Firm shall consider the market, cost and income approaches in the valuation of all vacant and improved parcels of property.

(b) The Assessment Firm shall collect and analyze all available sales data for the City in order to become familiar with prevailing market conditions, activity, and specific transactions which may be utilized in determining the market value of competitive properties throughout the City.

(c) In valuing income-producing properties, the Assessment Firm shall collect information from owners, tenants, realtors, financial institutions, and any other necessary sources, for use in the valuation process. Data to be analyzed shall include actual and economic rents for each type of property, typical vacancy rates, and typical operating expense ratios. All data shall be properly documented and adequate records shall include a reconstruction of income and expenses, and estimate capitalization rates shall be accurately documented by information obtained from the market. Any documentation used in establishing any of the foregoing shall become the property of the City.

16. DATA FOR EVALUATION. The Assessment Firm shall gather and analyze market value data including but not limited to sales, lease data, rental rates of return, operating statements, vacancy factors, and construction costs for use in determining property valuation standards pursuant to Section 70.32 and 70.34 of the Wisconsin Statutes. Data gathered shall either be noted on the property record cards or contained within supplements to the record cards (e.g. copies of real estate transfer returns, leases.)

17. IMPROVEMENTS- DATA COLLECTIONS (a) The contract goal shall be that 100% of all improved parcels, excluding exempt and manufacturing parcels, be inspected in a four (4) year inspection cycle commencing January 1, 2008. To ensure attainment of this objective, the following annual inspection cycle is to be completed by the Assessment Firm; (1) new construction, annexed properties, exempt status changes, and zoning changes shall be inspected; (2) properties affected by legal description changes, building removal, fire, significant remodeling or other major condition changes requiring a building permit shall be inspected; (3) all sale properties shall be physically inspected; (4) requests for review by property owners shall be completed during the current assessment cycle; (5) inclusive of the properties listed above, the Assessment Firm shall physically inspect approximately twenty-five percent (25%) of the total non-manufacturing parcel count as shown on the prior year's Statement of Assessment.

(b) The Assessment Firm shall maintain an interior inspection rate of ninety-five percent (95%) for all non-exempt, improved properties inspected annually. The specified inspection rate assumes reasonable property owner cooperation, and shall therefore be inclusive of "Certified No Response" (doomage) properties.

(c) Upon failure to gain entrance to a major building after a reasonable attempt, the Assessment Firm shall attempt to contact the property owner or occupant by ordinary mail to arrange an appointment for the purpose of listing the interior. A minimum of two (2) call back attempts shall be made.

(d) If the Assessment Firm request to list a major building is refused by the owner or occupant, the Assessment Firm shall make a request by registered mail to inspect the building; such written request shall state the purpose of the inspection, the desired time of inspection and shall advise the owner or occupant that his refusal shall constitute a loss of appeal of the assessment to the local Board of Review and further appeal avenues; should the request to inspect major buildings fail their purpose, the Assessment Firm shall list and value the improvements by professional methods according to the best information he can practically obtain. In no case may a card be left request the owner or occupant to fill in the information.

(e) The date of inspection of all major buildings shall be indicated on the record cards and owner shall be required to sign the card.

(f) Property records cards shall be completed and entered into the Market Drive computer assisted assessment system.

(g) The Assessment Firm's records will be available for use in the Assessment Firm's office, however, in no case will the use of these records be utilized in place of an inspection or property unless such inspection has been refused by the property owner.

18. IMPROVEMENT VALUATION – COST APPROACH. (a) The Assessment Firm shall value improvements in accordance with Volumes II and III of the Wisconsin Property Assessment Manual.

(b) In using the cost approach for residential improvements, the prescribed form, or its equivalent as approved by the Department, shall be used in determining replacement costs. The property record card shall be completed as recommended for use with Volume II, with proper base costs selected as appropriate for each improvement and adjusted to reflect differences from base building costs

(c) In using the cost approach for commercial improvement, areas, perimeters and ratios shall be determined as recommended for use with Volume III. Proper base costs shall be selected as appropriate and adjusted to adequately reflect variations from base building costs. When many adjustments are necessary to base costs, and/or the property is a special purpose building, the unit-in-place method as presented in Volume III shall be used.

(d) Local modifiers shall be used in determining all current replacement costs. Local modifiers and costs appearing in the Assessors Manual shall be adjusted when documented by an analysis of local current construction costs and market sales data. Records shall be prepared and left with the City to account for any adjustments made.

(e) All accrued depreciation, including physical deterioration, functional obsolescence, and economic obsolescence, must be accurately documented by the market to deduct from current replacement costs.

(f) The CDU rating system, as used in Volume II, shall be checked for accuracy with the local market conditions by means of a thorough sales analysis. If it is necessary to adjust the CDU rating, documentation shall be provided to the City to account for any adjustment(s) made.

19. DATA COLLECTION – LAND. (a) The Assessment Firm shall gather and note on the property record card for each parcel information including, but not limited to: size, area, footage, width, depth, shape, topography, productivity, site improvement, utilities, access, zoning and location.

The Assessment Firm shall collect data concerning sales of land and sales of improved parcels which may indicate the residual value of land. From these and other sources, the Assessment Firm shall become familiar with land values throughout the city.

20. VALUATION – LAND. (a) Unit value ranges per acre for each grade of agriculture land and swamp and timber land shall be determined from an analysis of sales and other available market data. Soil surveys and maps shall be considered in the development of land unit values for agricultural lands. In the analysis of sales, work forms shall be prepared for recording data on each sale analyzed and for correlating price data from the sales for the various subclasses of agricultural land and other land classes. Such forms shall be left with the city.

(b) Basic unit values shall be determined for residential and commercial lands from an analysis of sales, rents, leases, and other available market data. In the analysis of market data, adequate records shall be prepared showing data collected and unit value determinations. Such records shall be left with the City.

(c) Having determined basic unit values, the Assessor shall apply such to each parcel, making adjustments to account for the particular characteristics of the site. Land computations shall be properly shown for each parcel on the property record cards.

(d) For residential and commercial lands, maps and schedules shall be prepared indicating unit values used and locations thereof to be left with the City.

(e) A copy of all charts, schedules and tables, not previously referred to, including depth factor tables, and used in the valuation of lands shall be left with the City.

21. FINAL FIELD REVIEW. (a) Prior to the open book conference, the Assessment Firm shall make a final field review. Each parcel must be reviewed at the property location. In the final review process, the indicated value of the structure and the indicated value of the land shall be compared against sales information concerning the same parcel or comparable parcels. For commercial properties where a determination of values has been made via the income approach, this value shall also be reviewed at this time to make the proper correlation of values between the cost, market and income. The review shall cover each parcel so as to eliminate errors in computations that may have occurred, to insure uniformity in record cards and forms completed by various personnel, to verify building classification and depreciation estimates regarding physical, functional and economic obsolescence and to be sure that all lands and improvements are properly accounted for. The final review will account and adjust for factors which may have a direct bearing on the market value and/or equitable relationship to other properties.

22. ASSESSMENT FIRM TO REVIEW ASSESSMENTS. Prior to sending notices of assessments and the open book conferences, the Assessment Firm may review assessed values on real estate; such review will include property record cards and other material prepared for the valuation.

23. OPEN BOOK CONFERENCE. (a) Upon completion of the Assessment Firm's review of assessments and prior to completion of the assessment rolls, the Assessment Firm shall hold open book conferences for the purpose of enabling property owners or their agents to review and compare the assessed values.

(b) Sufficient number of qualified Assessment Firm personnel will be available to conduct open book conferences, time, place and need designated by the City.

(c) The Assessment Firm shall send a notice by first class mail to each property owner of any change in assessment. The notice form used shall be that prescribed by the Department of Revenue as provided in Section 70.365. The Assessment Firm shall also indicate on the notice, or attach to the notice, the time and place the open book conference will be held. Mailing shall be fifteen (15) days prior to the first day of the conferences for the convenience of the property owners.

24. COMPLETION OF ASSESSMENT ROLL. The Assessment Firm shall be responsible for the proper completion of the assessment roll in accordance with current statutes. Final assessment figures for each property shall be provided by the Assessment Firm to the City, and the roll shall be totaled to exact balance. The Assessment Firm shall prepare and submit the "Assessor's Final Report" including T.I.F District Assessor's Final Report, to the Supervisor of Assessment.

25. BOARD OF REVIEW: SUBSEQUENT APPEARANCES. (a) Responsible member(s) of the Assessment Firm's field staff shall attend all meetings of the Board of Review to explain and defend the assessed value and be prepared to testify under oath in regard to such values.

(b) In the event of appeal to the Department or to the courts, it is agreed that qualified representative(s) of the Assessment Firm shall be available upon written request from the City to furnish testimony in defense of the values established.

GENERAL SPECIFICATIONS

1. **INSURANCE – LIABILITY, WORKER’S COMPENSATION.** The Assessment Firm shall maintain insurance coverage to protect against claims, demands, actions and causes or action, arising from any act or omission of the appraiser, his agents, and employees in the execution of work, and shall be responsible for any and all of his agents and employees whether within or without the scope of employment while performing acts of ostensibly under the terms of this contract. Certificates of insurance by a company authorized to transact business in the State of Wisconsin shall be supplied to the City. Limits of liability shall not be less than:

Workers Compensation	Statutory
Bodily Injury – Per Person	\$250,000
– Per Occurrence	\$500,000
Property Damage – Each Occurrence	\$100,000
Comprehensive Auto Liability	
Including Non-Ownership Coverage	
Each Person	\$250,000
Each Occurrence	\$500,000
Property Damage	
Each Occurrence	\$200,000

2. **INSURANCE – VALUABLE PAPER.** (a) Assessment Firm agrees to carry proper and sufficient insurance to cover loss of public records withdrawn from City by the Assessment Firm for its use as well as records being processed under this agreement which are in possession of the Assessment Firm.

(b) The Assessment Firm shall not be responsible for loss of records destroyed by fire, theft, or Act of God while kept in office space supplied by the City.

3. **PUBLIC RELATIONS.** In the conduct of its work, the Assessment Firm and its employees will endeavor to promote understanding and amicable relations with taxpayers and public. Upon request of the City, the Assessment Firm shall furnish qualified speakers to explain the purpose, methods and procedures of the assessment program. The employees of the City and the Assessment Firm shall work together to maintain the full cooperation of all taxpayers by treating each inquiry with courtesy and supplying all possible necessary information to every interested taxpayer; however, each field assessor/lister shall be instructed to refrain from discussing with the property owner, tenant, or occupant the possibility of any increase or decrease in the valuation of the real property and/or buildings.

4. **SUBCONTRACTORS.** The Assessment firm is not permitted to assign, subcontract, or transfer any of the work specified in the Scope of Service, without written approval from the Common Council.

5. **COMPENSATION.** Compensation for assessment services will be made in 12 installments for the entire contract amount.

6. MISCELLANEOUS GENERAL AGREEMENTS. (a) The Assessment Firm shall insure that employees maintain strict confidence regarding all privileged information received by reason of this agreement. Disclosure of this or any appraisal information to any individual, firm, or corporation, other than appropriate public officials or their authorized agents is expressly prohibited and if done before completion of this project, will be considered a violation of the contract.

(b) The Assessment Firm shall supply all necessary office machines such as, but not limited to, typewriters, adding machines, computers and calculators used outside of city offices.

7. NUMBER OF ASSESSMENT PARCELS. The real estate parcels to be used as basis for submitting a proposal is an estimate of the number of parcels to appear on the City of Menasha's 2006 Statement of Assessment. Parcel counts may increase or decrease with property splits, deletions and/or annexations.

DEFINITIONS

1. "Assessment Firm" shall mean either an individual, a partnership or a corporate firm responsible for the overall property assessment.
2. "Manual" shall mean the "Property Assessment Manual for Wisconsin Assessor's", Volume I, II, and III prepared and issued by the Wisconsin Department of Revenue for the State of Wisconsin together with all material designated by the Department as being part of or supplemental to the Property Assessment Manual.
3. "Parcel" means an individual legal description for a tract of land and shall include not only the land itself but all buildings and improvements thereon.
4. "Real Estate Parcel Count" shall mean the estimated number of individual real estate descriptions assessed locally on the City of Menasha Real Estate Assessment roll for the assessment year 2006.
5. "Major Building" shall mean any and all houses on residential parcels, the buildings representing the major use of mercantile parcels, and any and all houses on agricultural parcels.
6. "Proper Record Cards" shall mean the current versions of the residential, agricultural and mercantile property record cards or equivalents, approved by the Department of Revenue and used for the purpose of making a record to support and substantiate the value conclusion for each parcel. If the Appraiser and/or City shall have reason to use forms not currently approved, such use shall be contingent upon department approval.
7. "Local Modifier" shall mean the mathematical factor necessary to convert manual basic cost estimate to current cost estimate in the City.
8. "City" is the City of Menasha, Wisconsin.
9. "Department" shall mean Department of Revenue, Bureau of Property Tax, Madison, Wisconsin.

This Agreement for Property Maintenance and Tax Listing Services

Has been prepared for

The City of Menasha

By

Associated Appraisal Consultants, Inc.

For the assessment year of 2008, 2009 , 2010 and 2011

Agreement date is the 11th of October 2007

Fee for Services Rendered:

**Fifty Six Thousand Five Hundred Dollars
\$56,500.00**

**For 2009
Fifty-Seven Thousand Three Hundred Dollars
\$57,300.00**

**For 2010
Fifty Eight Thousand One Hundred Dollars
\$58,100.00**

**For 2011
Fifty Eight Thousand Nine Hundred Dollars
\$58,900**

Authorized Client Signature

**Joseph Griesbach, Jr. President
Associated Appraisal Consultants, Inc.**

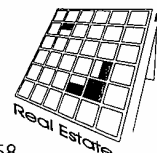
Date

Date

Associated Appraisal Consultants, Inc.

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MEMORANDUM

To: Common Council
From: Greg Keil, CDD
Date: November 15, 2007
RE: Amendment to Development Agreement with PJC Group, Inc.

Bank financing of the Gilbert mill site redevelopment has been stymied by the reluctance of lenders to recognize the city's pledge of tax increment as collateral. To remedy this situation other equity needs to be brought into the project. This equity is proposed to come from the sale of the warehouse portion of the site from PJC Group, LLC to Gilbert Warehouse LLC (whose principal is Randy Stadtummueller).

As written, the development agreement requires an occupancy permit be granted before the property can be sold. Substantial investment in the warehouse is required (primarily for the installation of a sprinkler system) before it may be occupied. Financing the improvements is problematic because the warehouse is not owned by the entity which will be making the improvements. Removing the condition in the development agreement requiring an occupancy permit will alleviate this barrier to financing.

AMENDMENT #1 TO DEVELOPMENT AGREEMENT BETWEEN PJC GROUP, LLC AND THE CITY OF MENASHA

It is desirable to enter into this Amendment to the Development Agreement between PJC Group, LLC and the City of Menasha to facilitate the financing arrangements necessary for PJC Group, LLC to advance the projects contemplated by the Development Agreement.

For mutual consideration, the parties agree as follows:

The City of Menasha hereby waives any objection to a sale of the property described as the Warehouse in the Development Agreement to Gilbert Warehouse, LLC by PJC Group, LLC without first securing an occupancy permit as would otherwise be required by sec. 11.4.

PJC Group, LLC promises that it will establish an escrow account with Evans Title of not less than \$675,000 from loan proceeds for this project. Such escrow account shall be used exclusively for the demolition of the former Gilbert Paper Mill and reclamation of the land on which the Mill was located, described as the "Land Reclamation Project". The City of Menasha shall receive, upon request, an accounting of this escrow account from Evans Title as the escrow agent.

Dated at Menasha, Wisconsin this _____ day of November 2007.

BY THE CITY:

BY PJC GROUP, LLC:

Jeffrey S. Brandt
City Attorney

Member

CITY OF MENASHA DISBURSEMENTS

Accounts Payable for 11/8/07-11/15/07	\$ 397,563.39
Checks # 14446-14669	

Payroll Checks for 11/8/07-11/15/07	<u>141,574.07</u>
Checks # 35391-35621	

Total	\$ 539,137.46
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**Gaps in the sequence of accounts payable check numbers may be caused by: voiding checks at the start of a new check run to set up printing of the checks correctly, having a large number of invoices on a particular vendor which causes the payment to be printed on more than one accounts payable check , incorrect alphabetizing of a vendor causing the accounts payable check to appear out of sequence or software/printer problems which result in accounts payable checks being printed incorrectly and needing to be discarded.

Menasha Employees Credit Union-Employee Deductions

Menasha Employees Local 1035-Union Dues

Menasha Employees Local 1035B-Union Dues

Wisconsin Support Collections-Child/Spousal Support

United Way-Employee Donations

AMT-Garnishments

Date: Thursday, November 08, 2007
Time: 09:33AM
User: MGRIESBACH

CITY OF MENASHA
Check Register - w/Alternate Description

Page: 1 of 10
Report: 03630Alt.rpt
Company: 31100

Vendor ID / Name	Invoice Nbr	CpnyID	Acct	Subaccount	Amount	Invoice Description
01030 AAA SANITATION INC	148887	31100	55	07-202-209	165.00	PORTABLE TOILETS/BOAT LANDING
	Check Date 11/8/2007	Check Nbr	014670		Check Total:	165.00
01054 ACCENT FLORAL & GIFTS LLC	11303	31100	55	04-221-316	60.00	PLANTS/GIFT ITEMS
	Check Date 11/8/2007	Check Nbr	014671		Check Total:	60.00
01075 ACCURATE SUSPENSION WAREHOUSE	7018195	31731	54	10-149-383	277.45	BRAKE PADS/ROTORS
	Check Date 11/8/2007	Check Nbr	014672		Check Total:	277.45
01315 AIRGAS NORTH CENTRAL	105074120	31100	55	07-202-315	62.31	ARGON/FOR PARK SHOP
	105074119	31100	55	07-202-315	160.40	FOR PARK SHOP
	Check Date 11/8/2007	Check Nbr	014673		Check Total:	222.71
01675 AMT		31100	21	04-299-022	150.00	
	Check Date 11/8/2007	Check Nbr	014674		Check Total:	150.00
01730 APPLETON COMPRESSOR SERVICE &	0070386-IN	31100	54	10-131-300	6.58	RELIEF VALVE/AIR COMPRESSOR
	Check Date 11/8/2007	Check Nbr	014675		Check Total:	6.58
01850 ASSESSMENT TECHNOLOGIES LLC	1583	31100	51	04-109-214	82.50	CUSTOM PROGRAMMING
	Check Date 11/8/2007	Check Nbr	014676		Check Total:	82.50

Date: Thursday, November 08, 2007
Time: 09:33AM
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CITY OF MENASHA
Check Register - w/Alternate Description

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Report: 03630Alt.rpt
Company: 31100

Vendor ID / Name	Invoice Nbr	CpnyID	Acct	Subaccount	Amount	Invoice Description
02040 BADGER HIGHWAYS CO INC	138338	31485	54	10-121-300	21,506.40	HOTMIX ASPHALT
	138338	31100	54	10-122-300	1,744.92	HOTMIX ASPHALT
	138383	31100	54	10-121-300	398.05	SILVERBIRCH RECYCLE MATERIAL
	138383	31100	54	10-122-300	3,635.51	HOTMIX ASPHALT
	138403	31100	54	10-122-300	400.00	TACK COAT
	138438	31100	54	10-121-300	214.76	SILVER BIRCH
	138438	31485	54	10-121-300	44.79	NATURE'S WAY
	138438	31100	54	10-122-300	118.40	HOTMIX ASPHALT
Check Date	11/8/2007	Check Nbr	014677	Check Total:	28,062.83	
02055 BADGER STATE INDUSTRIES	311171-01	31100	51	04-109-216	150.00	DONATED MONITOR
	Check Date	11/8/2007	Check Nbr	014678	Check Total:	150.00
02335 BECK ELECTRIC INC	D312	31100	55	07-202-204	377.00	TERMINATE CONDUIT SCOREBOARDS
	D312	31100	55	07-202-300	155.98	TERMINATE CONDUIT SCOREBOARDS
	D267	31100	54	10-121-216	620.00	RECONNECT LOOP/APPLETON/NINTH
	Check Date	11/8/2007	Check Nbr	014679	Check Total:	1,152.98
02796 BUBRICK'S	72058	31100	52	08-101-310	234.52	OFFICE SUPPLIES
	Check Date	11/8/2007	Check Nbr	014680	Check Total:	234.52
02815 SYLVIA BULL	110507	31100	53	09-212-331	88.51	MILEAGE
	Check Date	11/8/2007	Check Nbr	014681	Check Total:	88.51

Date: Thursday, November 08, 2007
Time: 09:33AM
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CITY OF MENASHA
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Report: 03630Alt.rpt
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Vendor ID / Name	Invoice Nbr	CpnyID	Acct	Subaccount	Amount	Invoice Description
03145 CAREW CONCRETE & SUPPLY CO INC	745306	31100	54	10-122-300	730.00	GROVE & JEFFERSON
	745508	31100	54	10-122-300	693.00	MILWAUKEE ST
	745307	31100	54	10-122-300	550.00	952 LONDON ST
	747229	31100	54	10-122-300	348.40	CONCRETE/908 PLANK
	748088	31485	54	10-121-300	490.35	CONCRETE/ONEIDA/NATURES WAY
	747630	31100	54	10-135-300	263.80	CONCRET/705 KINZIE CT
	749841	31100	54	10-135-300	119.43	TAYCO/4TH
	749368	31100	54	10-122-300	179.20	PLANK E OF 47
	749840	31100	54	10-122-300	487.03	1405 EUGENE ST
	749840	31100	54	10-135-300	216.00	1405 EUGENE ST
Check Date 11/8/2007 Check Nbr 014682 Check Total:					4,077.21	
03205 CASPERS TRUCK EQUIPMENT INC	28829	31741	19	04-530-000	35,207.00	DUMP TRUCK
	Check Date 11/8/2007 Check Nbr 014683 Check Total:					35,207.00
03225 CB SUPPLY COMPANY INC	0134084-IN	31731	54	10-149-383	34.43	BELT
	Check Date 11/8/2007 Check Nbr 014684 Check Total:					34.43
03687 CONTRACTING SPECIALISTS INC	2266	31100	56	03-202-219	500.00	DESIGN SERVICES/HEALTH
	Check Date 11/8/2007 Check Nbr 014685 Check Total:					500.00
03730 COUNTRY INNS & SUITES	490982	31278	53	09-116-702	833.04	LHR REHAB
	Check Date 11/8/2007 Check Nbr 014686 Check Total:					833.04
04125 DAVIES WATER #1476	0017057	31100	54	10-134-300	84.00	JT SEAL
	Check Date 11/8/2007 Check Nbr 014687 Check Total:					84.00
04275 DIGICORPORATION	51107	31100	13	04-113-000	-61.30	LETTERHEAD/ENVELOPES
	51107	31100	55	07-201-291	152.30	LETTERHEAD/ENVELOPES
	Check Date 11/8/2007 Check Nbr 014688 Check Total:					91.00

Date: Thursday, November 08, 2007
 Time: 09:33AM
 User: MGRIESBACH

CITY OF MENASHA
Check Register - w/Alternate Description

Page: 4 of 10
 Report: 03630Alt.rpt
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Vendor ID / Name	Invoice Nbr	CpnyID	Acct	Subaccount	Amount	Invoice Description
05259 DEBBIE EVERSON &	110607	31733	51	02-116-730	346.50	CLAIM AGAINST CITY/2927 BIRLIN
	Check Date	11/8/2007	Check Nbr	014689	Check Total:	346.50
06110 FERGUSON ENTERPRISES INC #448	0271756	31100	55	07-202-240	283.54	VANDALIZED TOILET/CLOVIS
	Check Date	11/8/2007	Check Nbr	014690	Check Total:	283.54
06275 FLEET COMPUTING INTERNATIONAL	3678	31100	51	04-109-243	400.00	FLEET CONTROLLER SOFTWARE PLAN
	Check Date	11/8/2007	Check Nbr	014691	Check Total:	400.00
06450 FOX CITIES MAGAZINE	00015315	31100	56	03-202-291	875.00	CITY GUIDE 2007-08
	Check Date	11/8/2007	Check Nbr	014692	Check Total:	875.00
06480 FOX EXCAVATING LLC	610	31485	56	03-202-822	4,625.45	NATURE'S WAY LOT 12
	606	31485	56	03-202-822	5,583.59	NATURE'S WAY LOT 14
	605	31485	56	03-202-822	5,702.81	NATURE'S WAY LOT 11
	607	31485	56	03-202-822	6,935.45	NATURE'S WAY LOT 15
	Check Date	11/8/2007	Check Nbr	014693	Check Total:	22,847.30
06520 FOX STAMP SIGN & SPECIALTY	145065	31100	51	04-106-310	56.00	NEW DATES TAX BILL STAMPERS
	Check Date	11/8/2007	Check Nbr	014694	Check Total:	56.00
07485 GREEN BOYZ	101007	31100	52	08-101-206	60.00	FERTILIZER/WEED CONTROL/PD
	Check Date	11/8/2007	Check Nbr	014695	Check Total:	60.00
08307 HENES & HENES LTD	22817	31100	51	02-105-211	150.00	COURT REPORTER ARBITRATION
	Check Date	11/8/2007	Check Nbr	014696	Check Total:	150.00
09105 INDEPENDENT INSPECTIONS LTD	300569	31100	52	03-301-216	11,287.12	PERMITS FOR OCTOBER 2007
	Check Date	11/8/2007	Check Nbr	014697	Check Total:	11,287.12

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09110 INFINITY TECHNOLOGY INC	403958	31100	51	04-109-214	2,380.00	TECH SUPPORT BLOCK OF TIME
	Check Date	11/8/2007	Check Nbr	014698	Check Total:	2,380.00
11030 KAEMPFER & ASSOCIATES INC	13450	31201	54	10-301-212	1,625.00	INDUSTRIAL DISCHARGER REG PROG
	13451	31201	54	10-301-212	1,044.43	INDUSTRIAL DISCHARGER REG PROG
	13452	31201	19	04-540-000	361.18	WW COLLECTION SYS REHAB IMPROV
	13453	31201	54	10-301-212	847.70	WW CONSULTING SERVICES
	Check Date	11/8/2007	Check Nbr	014699	Check Total:	3,878.31
11175 LORETTA KJEMHUS	103107	31100	53	09-102-331	22.41	MILEAGE
	Check Date	11/8/2007	Check Nbr	014700	Check Total:	22.41
11365 KUNDINGER FLUID POWER INC	P-63773-0	31731	54	10-149-383	103.64	ADAPTER/AIR FILTER/BRANCH TEE
	Check Date	11/8/2007	Check Nbr	014701	Check Total:	103.64
12110 LAMERS BUS LINES INC	317724	31100	55	07-201-205	315.00	PARK TRIP/MILWAUKEE
	Check Date	11/8/2007	Check Nbr	014702	Check Total:	315.00
12213 LASER TECHNOLOGY INC	46724RI	31100	52	08-101-243	57.50	LASER REPAIR
	Check Date	11/8/2007	Check Nbr	014703	Check Total:	57.50
13043 MANAWA TELEPHONE CO	110107	31100	51	04-109-221	39.95	CABIN DSL
	Check Date	11/8/2007	Check Nbr	014704	Check Total:	39.95
13077 BERT MARRACHE &	110507	31278	53	09-116-702	254.69	LPR PROGRAM
	Check Date	11/8/2007	Check Nbr	014705	Check Total:	254.69
13270 MCNEILUS TRUCK & MFG COMPANY	543886	31731	54	10-149-383	95.71	BELT/BUCKLE GBR SGL DBL TINE
	546392	31731	54	10-149-383	141.98	SEAL KIT/CYL REBUILD
	Check Date	11/8/2007	Check Nbr	014706	Check Total:	237.69

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13360 MENASHA ELECTRIC & WATER UTILI	102607	31100	12	04-399-000	7.10	RACINE/NINTH
	102607	31100	54	10-131-223	166.72	TRAFFIC LIGHTS
	102607	31201	54	10-301-223	52.90	LIFT STATIONS
	102607	31100	55	07-202-223	496.98	PARKS
	102607	31100	55	07-202-223	12.97	PARKS
	102607	31100	55	07-202-225	177.02	PARKS
	Check Date	11/8/2007	Check Nbr	014707	Check Total:	913.69
13370 MENASHA EMPLOYEES CREDIT UNION		31100	21	04-299-020	1,740.88	
		31100	21	04-299-020	18,801.00	
	Check Date	11/8/2007	Check Nbr	014708	Check Total:	20,541.88
13375 MENASHA EMPLOYEES LOCAL 1035		31100	21	04-299-031	200.00	
	Check Date	11/8/2007	Check Nbr	014709	Check Total:	200.00
13377 MENASHA EMPLOYEES LOCAL 1035B		31100	21	04-299-032	249.16	
	Check Date	11/8/2007	Check Nbr	014710	Check Total:	249.16
13435 MENASHA POSTMASTER	102907	31100	53	09-212-311	65.00	POSTAGE/DECEMBER NEWSLETTER
	Check Date	11/8/2007	Check Nbr	014711	Check Total:	65.00
	103107	31100	51	10-115-311	175.00	PRESORT RATE RENEWAL NOTICE
	Check Date	11/8/2007	Check Nbr	014712	Check Total:	175.00
13470 TOWN OF MENASHA UTILITY DIST	102607	31100	55	07-202-225	16.63	1000 GENEVA RD FNTN
	102607	31100	55	07-202-225	309.64	1000 GENEVA RD KOSLO
	Check Date	11/8/2007	Check Nbr	014713	Check Total:	326.27
13550 MICHELS MATERIALS	189551	31485	56	03-202-822	244.81	STONE/SCREENINGS/NATURES WAY
	Check Date	11/8/2007	Check Nbr	014714	Check Total:	244.81

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13750 MORTON PHARMACY	03243045	31100	52	08-101-300	14.95	IBUPROFEN
	Check Date 11/8/2007	Check Nbr	014715		Check Total:	14.95
13870 PEGGY MURPHY	090307	31100	53	09-114-331	59.75	MILEAGE
	Check Date 11/8/2007	Check Nbr	014716		Check Total:	59.75
14010 N&M AUTO SUPPLY	190045	31731	54	10-149-300	49.98	GREASE GUN
	190844	31731	54	10-149-383	220.79	HUB ASSEMBLY
	191017	31731	54	10-149-383	4.72	OIL FILTER
	191186	31731	54	10-149-383	106.29	DISC BRAKE PADS
	191412	31731	54	10-149-383	9.95	SPARK PLUGS
	Check Date 11/8/2007	Check Nbr	014717		Check Total:	391.73
14220 NEENAH-MENASHA SEWERAGE COMM	2007-194	31201	54	10-301-250	15,284.00	BOND ISSUE INTEREST/NOV 2007
	2007-188	31201	54	10-302-250	54,415.12	WASTEWATER TREATMENT NOV 2007
	Check Date 11/8/2007	Check Nbr	014718		Check Total:	69,699.12
14265 SUSAN NETT	100107	31100	53	09-102-331	10.77	MILEAGE
	Check Date 11/8/2007	Check Nbr	014719		Check Total:	10.77
14385 NOFFKE LUMBER INC	071020718795	31100	54	10-135-300	29.40	LUMBER
	Check Date 11/8/2007	Check Nbr	014720		Check Total:	29.40
15080 OFFICEMAX CONTRACT INC	581060	31100	51	02-117-310	51.85	OFFICE SUPPLIES
	Check Date 11/8/2007	Check Nbr	014721		Check Total:	51.85
15160 OMNI ASSOCIATES INC	50549	31100	54	10-111-212	158.00	MATERIALS TESTING CONCRETE
	Check Date 11/8/2007	Check Nbr	014722		Check Total:	158.00

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16025 PACKER CITY INTERNATIONAL	3272850067	31731	54	10-149-383	270.25	FILTERS/STROBE/HYDRAULI
	Check Date	11/8/2007	Check Nbr	014723	Check Total:	270.25
16300 PIGGLY WIGGLY #24	3072	31827	53	09-212-300	60.01	HALLOWEEN PARTY SUPPLIES
	8262	31100	55	07-201-300	13.47	PROGRAM SUPPLIES
	Check Date	11/8/2007	Check Nbr	014724	Check Total:	73.48
16806 PRN HEALTH SERVICES INC	040931	31100	53	09-102-215	742.50	SCHOOL NURSE
	040931	31100	53	09-102-331	24.01	SCHOOL NURSE
	Check Date	11/8/2007	Check Nbr	014725	Check Total:	766.51
16853 PROCON DATA SYSTEMS INC	6079	31100	55	07-202-204	38.00	MEMORIAL PLAQUE GEN ROUGEUX
	Check Date	11/8/2007	Check Nbr	014727	Check Total:	38.00
16815 PSS-CHICAGO	40729394	31100	53	09-102-300	79.80	NEEDLES/SYRINGES/SPONGES/BAND
	Check Date	11/8/2007	Check Nbr	014726	Check Total:	79.80
18200 REINDERS INC	1177132-00	31731	54	10-149-383	91.44	SWITCH/RUBBER COUPLING
	1177357-00	31731	54	10-149-383	142.38	CASTER FORK ASM/V-BELT/WING
	Check Date	11/8/2007	Check Nbr	014728	Check Total:	233.82
18430 ROLAND MACHINERY EXCHANGE	21035589	31731	54	10-149-383	-317.00	SOLENOID COIL
	21036322	31731	54	10-149-383	175.68	SWITCH INTERCH/DIODE
	Check Date	11/8/2007	Check Nbr	014729	Check Total:	-141.32
19130 DIANE SCHABACH	110607	31207	55	07-205-300	7.81	SPIDER SPRAY
	110607	31207	55	07-205-300	32.32	PIER CLEATS/LOCKS/CABLE
	110607	31207	55	07-205-311	49.20	STAMPS
	Check Date	11/8/2007	Check Nbr	014730	Check Total:	89.33

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19134 CINDY SCHAEFER-KEMPS	110507	31100	22	04-101-000	68.00	CLASS REFUND
Check Date	11/8/2007	Check Nbr	014731	Check Total:	68.00	
19787 SWIDERSKI EQUIPMENT INC	010736	31731	54	10-149-383	394.39	NUT/TOP LINKS
Check Date	11/8/2007	Check Nbr	014732	Check Total:	394.39	
20075 TEL/COM	10065496	31262	52	08-101-221	276.95	VICTIM CRISIS
	10065567	31100	51	04-109-221	7.95	PAGER/IS
	10065567	31100	51	10-115-221	7.95	PAGER/CITY HALL
	10065567	31100	55	06-101-221	7.95	PAGER/LIBRARY
Check Date	11/8/2007	Check Nbr	014733	Check Total:	300.80	
20155 THEDACARE LABORATORIES	22465 22466	31100	12	04-399-000	91.30	BLOOD COLLECTION FEE
Check Date	11/8/2007	Check Nbr	014734	Check Total:	91.30	
21045 UNIFIRST CORPORATION	0970021293	31731	54	10-149-201	69.01	MAT/MOP/CLOTHING PROTECTION
Check Date	11/8/2007	Check Nbr	014735	Check Total:	69.01	
21095 UNITED WAY FOX CITIES		31100	21	04-299-021	99.50	
Check Date	11/8/2007	Check Nbr	014736	Check Total:	99.50	
22130 VALLEY SURVEYING INSTRUMENTS	16697	31100	54	10-111-300	936.00	SPRAY PAINT
Check Date	11/8/2007	Check Nbr	014737	Check Total:	936.00	
22310 VARITECH INDUSTRIES INC	110893	31482	54	10-124-821	2,447.73	PLUMBING FOR 2 EXISTING TANKS
Check Date	11/8/2007	Check Nbr	014738	Check Total:	2,447.73	
22410 VINTON CONSTRUCTION	2006-06(8)	31208	21	04-205-000	1,000.00	RIVER ST RELOCATION
Check Date	11/8/2007	Check Nbr	014739	Check Total:	1,000.00	

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23152 WE ENERGIES	1022407	31100	55	07-202-223	8.74	NORTH STREET
	102407	31100	55	07-202-223	8.95	NORTH STREET
Check Date	11/8/2007	Check Nbr	014740	Check Total:	17.69	
23160 WERNER ELECTRIC SUPPLY CO	S2291418-001	31100	13	04-106-000	96.16	INVENTORY SENIOR CENTER
	Check Date	11/8/2007	Check Nbr	014741	Check Total:	96.16
23215 WIL-KIL PEST CONTROL	1202650	31731	54	10-149-207	62.00	COMMERCIAL CONTRACT
	Check Date	11/8/2007	Check Nbr	014742	Check Total:	62.00
23275 WINNEBAGO COUNTY TREASURER	112699	31266	54	10-309-216	1,742.00	134 APPLIANCES
	Check Date	11/8/2007	Check Nbr	014743	Check Total:	1,742.00
23455 WISCONSIN SUPPORT COLLECTIONS		31100	21	04-299-015	436.31	
		31100	21	04-299-016	138.40	
		31100	21	04-299-015	894.60	
	Check Date	11/8/2007	Check Nbr	014744	Check Total:	1,469.31
Grand Total:					218,409.55	

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01050 ACC PLANNED SERVICE INC	12834	31100	55	07-203-240	1,687.50	FURNACE/JEFFERSON POOL
	12833	31100	55	07-202-240	4,152.00	BOILER/JEFFERSON PARK
Check Date	11/15/2007	Check Nbr	014745	Check Total:	5,839.50	
01332 ZACHARY ALBRECHT	102507	31100	52	08-101-338	26.08	MEALS
	Check Date	11/15/2007	Check Nbr	014746	Check Total:	26.08
01465 ALL-SPORT TROPHY	38740	31100	55	07-201-300	42.00	FOOTBALL RIBBONS
	Check Date	11/15/2007	Check Nbr	014747	Check Total:	42.00
01775 CITY OF APPLETON	101707	31100	12	04-399-000	582.39	FISH KIOSK INSTALLATION
	Check Date	11/15/2007	Check Nbr	014748	Check Total:	582.39
19120 AT&T	920R09453011	31100	51	10-115-221	77.10	MONTHLY CHARGES
	920R09453011	31201	54	10-301-221	204.19	MONTHLY CHARGES
Check Date	11/15/2007	Check Nbr	014803	Check Total:	281.29	
02040 BADGER HIGHWAYS CO INC	138483	31485	54	10-121-300	549.93	NATURES WAY
	138531	31485	54	10-121-300	1,016.02	RECYCLE MATERIAL/NATURES WAY
	138531	31100	54	10-122-300	1,693.86	HOTMIX ASPHALT
	138532	31100	53	09-212-240	32.55	SCREENINGS/SENIOR CENTER
Check Date	11/15/2007	Check Nbr	014749	Check Total:	3,292.36	
02050 BADGER LAB & ENGINEERING INC	INV000031765	31201	54	10-301-212	2,029.00	INTERTAPE POLYMER SAMPLING
	Check Date	11/15/2007	Check Nbr	014750	Check Total:	2,029.00
02259 BAYCOM INC	203951	31100	52	08-101-295	1,510.26	COMPLETE SQUAD CHANGEOVER
	Check Date	11/15/2007	Check Nbr	014751	Check Total:	1,510.26

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02410 BERGSTROM	CVCS730396	31731	54	10-149-294	564.48	VEHICLE HEATING/AIR COND
	Check Date	11/15/2007	Check Nbr	014752	Check Total:	564.48
02500 BARB BIGALKE	111707	31262	52	08-101-311	32.80	POSTAGE
	Check Date	11/15/2007	Check Nbr	014754	Check Total:	32.80
02717 JEFFREY BRANDT	110807	31100	51	02-103-331	29.10	MILEAGE
	Check Date	11/15/2007	Check Nbr	014755	Check Total:	29.10
02730 BRAZEE ACE HARDWARE	53184	31100	51	10-115-300	8.77	CAULK GUN/ROOF CAULK
	53185	31731	54	10-149-313	11.47	DUST CLOTH/VAC BAGS/BLEACH
	39489	31100	53	09-102-313	10.48	WIPE CLOTHS/HAND SOAP
	Check Date	11/15/2007	Check Nbr	014756	Check Total:	30.72
02773 BROWN COUNTY HEALTH DEPARTMENT	2007.18	31100	12	04-399-000	116.16	INSTALL KIOSKS
	Check Date	11/15/2007	Check Nbr	014757	Check Total:	116.16
03225 CB SUPPLY COMPANY INC	0134221-IN	31731	54	10-149-383	83.50	BEARING CONE/OIL SEAL
	Check Date	11/15/2007	Check Nbr	014758	Check Total:	83.50
03490 CLEAR WATER CAR WASH	1951	31100	52	08-101-295	12.79	VEHICLE WASHES OCTOBER
	Check Date	11/15/2007	Check Nbr	014760	Check Total:	12.79
03585 COMMUNITY HOUSING COORDINATOR	95	31278	53	09-116-701	500.00	LEAD HAZARD REDUCTION RLF
	94	31100	56	03-202-219	1,600.00	HOUSING PLAN NOVEMBER 2007
	Check Date	11/15/2007	Check Nbr	014761	Check Total:	2,100.00
03842 CULLIGAN WATERCARE SERVICES	103107	31100	51	10-115-201	17.85	COOLER RENTAL
	103107	31731	54	10-149-313	5.95	COOLER RENTAL
	Check Date	11/15/2007	Check Nbr	014762	Check Total:	23.80

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04135 DAVIS & KUELTHAU SC	285862	31201	54	10-301-211	231.00	INSURANCE MATTER
	Check Date	11/15/2007	Check Nbr	014763	Check Total:	231.00
04139 VALERIE DAVIS		31100	53	09-102-331	-14.69	VOID AP #8983/OVER YEAR OLD
		31100	53	09-114-331	-8.01	VOID AP #8983/OVER YEAR OLD
		31100	53	09-118-331	-4.45	VOID AP #8983/OVER YEAR OLD
	110207	31100	53	09-102-331	24.74	MILEAGE
	110207	31100	53	09-102-336	19.40	MILEAGE
	110207	31100	53	09-104-331	2.23	MILEAGE
	Check Date	11/15/2007	Check Nbr	014764	Check Total:	19.22
04150 DE PERE PARK DEPARTMENT	111307	31100	12	04-399-000	1,250.00	KIOSK INSTALLATION FISH ADVISOR
	Check Date	11/15/2007	Check Nbr	014765	Check Total:	1,250.00
04275 DIGICORPORATION	51187	31100	51	04-101-291	1,958.04	HORIZON FALL 2007 NEWSLETTER
	51187	31266	54	10-307-291	1,413.00	IN THE WORKS NEWSLETTER
	Check Date	11/15/2007	Check Nbr	014766	Check Total:	3,371.04
04450 DWD-UI	51208	31100	55	10-215-162	218.00	BRIDGES
	Check Date	11/15/2007	Check Nbr	014767	Check Total:	218.00
05262 EAST WISCONSIN SAVING BANK &	111407	31100	48	04-323-000	500.00	EARNEST MONEY
	111407	31263	56	03-207-701	25,000.00	HOME PROGRAM
	111407	31263	56	03-207-701	2,500.00	CDBG RLF
	Check Date	11/15/2007	Check Nbr	014769	Check Total:	28,000.00

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05263 EVANS TITLE &	111407	31100	48	04-323-000	500.00	EARNEST MONEY
	111407	31263	56	03-207-701	23,000.00	HOME PROGRAM
	111407	31263	56	03-207-701	2,500.00	CDBG RLF
	Check Date	11/15/2007	Check Nbr	014770	Check Total:	26,000.00
	111407	31100	48	04-323-000	500.00	EARNEST MONEY
	111407	31263	56	03-207-701	23,000.00	HOME PROGRAM
	111407	31263	56	03-207-701	2,500.00	CDBG RLF
	Check Date	11/15/2007	Check Nbr	014771	Check Total:	26,000.00
	111407	31100	48	04-323-000	500.00	EARNEST MONEY
	111407	31263	56	03-207-701	24,000.00	HOME FUNDS
05240 EVANS TITLE COMPANIES INC	111407	31263	56	03-207-701	2,500.00	CDBG RLF
	Check Date	11/15/2007	Check Nbr	014772	Check Total:	27,000.00
	925-650107057	31263	56	03-207-216	200.00	535 FIRST ST/HABITAT FOR HUMAN
	Check Date	11/15/2007	Check Nbr	014768	Check Total:	200.00
05270 EZ GLIDE	0103469-IN	31100	52	05-201-240	499.85	REPAIR DOOR STATION 36
	Check Date	11/15/2007	Check Nbr	014773	Check Total:	499.85
06355 FONDY AUTO ELECTRIC	A06915	31731	54	10-149-383	233.66	PARTS
	Check Date	11/15/2007	Check Nbr	014774	Check Total:	233.66
07055 GALL'S INC	5908738700011	31100	52	08-101-295	30.00	DRAIN PLUG
	Check Date	11/15/2007	Check Nbr	014775	Check Total:	30.00
07080 GANNETT WISCONSIN NEWSPAPERS	0003035652	31100	51	04-101-292	1,457.42	LEGALS
	Check Date	11/15/2007	Check Nbr	014776	Check Total:	1,457.42

Date: Thursday, November 15, 2007
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Vendor ID / Name	Invoice Nbr	CpnyID	Acct	Subaccount	Amount	Invoice Description
07580 GUNDERSON UNIFORM & LINEN RENT	1226269	31100	51	10-115-201	14.46	MAT/MOP/BRUSH SERVICE
	1226269	31100	53	09-212-313	3.36	MAT/MOP/BRUSH SERVICE
	1226269	31100	55	07-202-313	3.36	MAT/MOP/BRUSH SERVICE
	1226268	31100	52	08-101-313	29.95	TOWEL/MAT SERVICE
Check Date	11/15/2007	Check Nbr	014777	Check Total:	51.13	
09082 IMPERIAL SUPPLIES LLC	E61015	31731	54	10-149-383	53.19	18" WINTER BLADE
	Check Date	11/15/2007	Check Nbr	014778	Check Total:	53.19
09270 INTERNATIONAL TRANSLATORS	LC-2-16651	31100	53	09-102-215	35.00	INTERPRETING SPANISH
	Check Date	11/15/2007	Check Nbr	014779	Check Total:	35.00
10320 JEFF JORGENSON	110107	31100	52	08-101-320	141.00	ROTARY DUES OCT-DEC 2007
	Check Date	11/15/2007	Check Nbr	014780	Check Total:	141.00
10335 JX ENTERPRISES INC	D273030010	31731	54	10-149-383	97.62	SENSOR ABS KIT
	Check Date	11/15/2007	Check Nbr	014781	Check Total:	97.62
11165 KJ WASTE SYSTEMS INC	101207	31266	54	10-307-216	1,279.00	CONTAINER RENTAL
	Check Date	11/15/2007	Check Nbr	014782	Check Total:	1,279.00
11235 KONE INC	17609941	31100	51	10-115-204	206.61	MAINTENANCE AGREEMENT
	Check Date	11/15/2007	Check Nbr	014783	Check Total:	206.61
11365 KUNDINGER FLUID POWER INC	P-65227-0	31731	54	10-149-383	14.17	ADAPTERS
	Check Date	11/15/2007	Check Nbr	014784	Check Total:	14.17

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Vendor ID / Name	Invoice Nbr	CpnyID	Acct	Subaccount	Amount	Invoice Description
12250 LAWSON PRODUCTS INC	6153490	31731	54	10-149-300	147.67	ADAPTERS
	6158653	31731	54	10-149-300	125.81	PLUGS/CAPS
	6196767	31731	54	10-149-300	317.09	PARTS STOCK
	Check Date	11/15/2007	Check Nbr	014785	Check Total:	590.57
12570 LUNIAK PAINT & SUPPLY INC	1213	31100	54	10-124-315	1,680.00	SANDBLAST TAILGATE SPREADERS
	Check Date	11/15/2007	Check Nbr	014786	Check Total:	1,680.00
13097 MARSHALL & ILSLEY TRUST-MILW	5109030	31100	51	02-105-216	260.00	MONTHLY FEE
	Check Date	11/15/2007	Check Nbr	014787	Check Total:	260.00
13360 MENASHA ELECTRIC & WATER UTILI	002857	31201	54	10-302-250	16,340.87	SEPTEMBER SEWER CHARGE
	110707	31100	12	04-399-000	2.29	TRAFFIC LIGHTS
	110707	31100	54	10-131-223	6.88	TRAFFIC LIGHTS
	Check Date	11/15/2007	Check Nbr	014788	Check Total:	16,350.04
13370 MENASHA EMPLOYEES CREDIT UNION		31100	21	04-299-020	1,727.00	
	Check Date	11/15/2007	Check Nbr	014789	Check Total:	1,727.00
13375 MENASHA EMPLOYEES LOCAL 1035		31100	21	04-299-031	200.00	
	Check Date	11/15/2007	Check Nbr	014790	Check Total:	200.00
13445 MENASHA PUBLIC WORKS FACILITY	111307	31482	54	10-124-821	50.12	MISC HARDWARE/PARTS
	Check Date	11/15/2007	Check Nbr	014791	Check Total:	50.12
13455 MENASHA SENIOR CENTER	111207	31100	21	04-289-000	19.67	CARD CARFT CLASS SUPPLIES
	111207	31827	53	09-212-300	47.11	HALLOWEEN PARTY SUPPLIES
	Check Date	11/15/2007	Check Nbr	014792	Check Total:	66.78

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13685 MINNESOTA MUTUAL LIFE INSURANC	DECEMBER2007	31100	21	04-618-000	2,492.52	PREMIUM
	Check Date	11/15/2007	Check Nbr	014793	Check Total:	2,492.52
13755 MORTON SAFETY	228721	31731	54	10-149-300	54.34	EYEWASH
	Check Date	11/15/2007	Check Nbr	014794	Check Total:	54.34
13785 MOTION INDUSTRIES INC	WI25-423982	31731	54	10-149-383	24.68	ADDITIONAL FREIGHT CHARGE
	Check Date	11/15/2007	Check Nbr	014795	Check Total:	24.68
15080 OFFICEMAX CONTRACT INC	744463	31100	51	01-102-310	9.86	OFFICE SUPPLIES/MAYOR
	744463	31100	51	02-103-310	9.86	OFFICE SUPPLIES/ATTY
	744463	31100	51	02-104-310	9.86	OFFICE SUPPLIES/CLERK
	744463	31100	51	02-105-310	63.35	OFFICE SUPPLIES/PERSONNEL
	744463	31100	51	04-101-310	50.70	OFFICE SUPPLIES/COUNCIL
	788091	31100	21	04-289-000	24.09	OFFICE SUPPLIES
	788091	31100	53	09-212-310	90.11	OFFICE SUPPLIES
	Check Date	11/15/2007	Check Nbr	014796	Check Total:	257.83
15090 OGDEN PLUMBING & HEATING INC	53126	31100	52	05-201-240	145.11	FIX WATER HEATER CHIMNEY
	Check Date	11/15/2007	Check Nbr	014797	Check Total:	145.11

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Vendor ID / Name	Invoice Nbr	CpnyID	Acct	Subaccount	Amount	Invoice Description
03405 ONE COMMUNICATIONS	110207	31100	12	04-399-000	14.07	BUILDING INSPECT
	110207	31100	12	04-399-000	446.49	MENASHA UTILITIES
	110207	31207	12	04-399-000	23.88	MARINA
	110207	31100	51	01-102-221	10.90	MAYOR
	110207	31100	51	02-103-221	5.43	ATTORNEY
	110207	31100	51	02-104-221	15.77	CLERK
	110207	31100	51	02-105-221	15.85	PERSONNEL
	110207	31100	51	04-106-221	50.67	FINANCE
	110207	31100	51	04-107-221	5.08	ASSESSOR
	110207	31100	51	04-109-221	41.57	IT
	110207	31100	51	10-115-221	61.07	CITY HALL
	110207	31100	52	05-701-221	61.00	EOC
	110207	31100	52	08-101-221	341.58	POLICE
	110207	31100	53	09-102-221	86.36	HEALTH
	110207	31100	53	09-212-221	29.60	SENIOR
	110207	31100	54	10-111-221	66.88	ENGINEERING
	110207	31100	54	10-131-221	5.08	SIGN
	110207	31731	54	10-149-221	44.73	GARAGE
	110207	31100	55	06-101-221	163.68	LIBRARY
	110207	31100	55	07-201-221	17.30	RECREATION
	110207	31100	55	07-202-221	81.63	PARKS
	110207	31100	55	07-203-221	33.88	POOL
	110207	31100	55	10-215-221	36.80	BRIDGE
	110207	31100	56	03-202-221	24.67	COM DEV
Check Date 11/15/2007 Check Nbr 014759 Check Total:					1,683.97	
16806 PRN HEALTH SERVICES INC	041185	31100	53	09-102-215	990.00	SCHOOL NURSE
	Check Date 11/15/2007 Check Nbr 014798 Check Total:					990.00

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16840 PUBLIC SAFETY CENTER INC	132434IN	31100	52	08-101-300	169.95	AUDIO CASSETTES
	1327341IN	31100	52	08-101-300	90.89	AUDIO CASSETTES
	Check Date	11/15/2007	Check Nbr	014799	Check Total:	260.84
18160 REDI-WELDING CO	13604	31731	54	10-149-300	596.88	WELDING SUPPLIES
	Check Date	11/15/2007	Check Nbr	014800	Check Total:	596.88
18430 ROLAND MACHINERY EXCHANGE	21036586	31731	54	10-149-294	1,316.31	REPAIR WASHDOWN SYSTEM
	Check Date	11/15/2007	Check Nbr	014801	Check Total:	1,316.31
19025 SAFEGUARD BUSINESS SYSTEMS INC	023621477	31100	51	04-106-310	74.84	DEPOSIT TICKETS
	Check Date	11/15/2007	Check Nbr	014802	Check Total:	74.84
19145 HENRY SCHEIN	2091393-01	31100	53	09-108-300	238.72	MEDICAL SUPPLIES
	Check Date	11/15/2007	Check Nbr	014804	Check Total:	238.72
19327 SERVICEMASTER BUILDING MTNCE	117356	31100	52	08-101-201	1,495.00	JANITORIAL SERVICE NOV 2007
	117410	31100	52	08-101-201	50.00	CLEAN GARAGE NOV 2007
	Check Date	11/15/2007	Check Nbr	014805	Check Total:	1,545.00
19356 SHERWIN-WILLIAMS CO	7793-2	31100	55	07-203-240	129.75	PAINTING AT POOL
	5493-1A	31100	54	10-134-300	-68.13	PAID ON CHECK 13752
	8037-3	31100	54	10-124-315	296.25	PAINT/MATERIAL/SALTERS
	8295-7	31100	54	10-124-315	22.48	PAINT/SALTERS
	Check Date	11/15/2007	Check Nbr	014806	Check Total:	380.35
19410 SKID & PALLET	021073	31100	55	07-202-300	28.00	LANDSCAPE MULCH
	Check Date	11/15/2007	Check Nbr	014807	Check Total:	28.00

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Vendor ID / Name	Invoice Nbr	CpnyID	Acct	Subaccount	Amount	Invoice Description
19464 MARTHA SPAULDING	111207	31100	21	04-249-000	100.00	RETURN DEPOSIT EXCAV #7428
	Check Date	11/15/2007	Check Nbr	014808	Check Total:	100.00
19585 SPORTS GRAPHICS	4020A	31100	55	07-201-300	385.50	SOFTBALL TSHIRTS
	Check Date	11/15/2007	Check Nbr	014809	Check Total:	385.50
02430 STANLEY SECURITY SOLUTIONS INC	WI-458907	31731	54	10-149-240	32.33	KEYS
	Check Date	11/15/2007	Check Nbr	014753	Check Total:	32.33
20145 THEDACARE	9766972	31100	52	08-101-215	386.40	VENIPUNCTURE
	Check Date	11/15/2007	Check Nbr	014810	Check Total:	386.40
20470 BRIAN TUNGATE	111207	31100	55	07-201-338	33.00	MEALS/WPRA STATE CONFERENCE
	Check Date	11/15/2007	Check Nbr	014811	Check Total:	33.00
21040 ULTRADENT PRODUCTS INC	8007361	31100	53	09-108-300	52.93	MICRO TIPS/ETCH REFILL
	Check Date	11/15/2007	Check Nbr	014812	Check Total:	52.93
21045 UNIFIRST CORPORATION	0970021635	31731	54	10-149-201	69.01	MAT/MOP/CLOTHING SERVICE
	Check Date	11/15/2007	Check Nbr	014813	Check Total:	69.01
21226 US OIL CO INC	627649	31100	13	04-103-000	3.50	FEDERAL LUST TAX
	627652	31100	13	04-103-000	4.50	FEDERAL LUST TAX
	Check Date	11/15/2007	Check Nbr	014814	Check Total:	8.00
21230 US PETROLEUM EQUIPMENT	161853	31731	54	10-149-243	187.50	LEAKING HOSE REPAIR
	Check Date	11/15/2007	Check Nbr	014815	Check Total:	187.50

Date: Thursday, November 15, 2007
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Vendor ID / Name	Invoice Nbr	CpnyID	Acct	Subaccount	Amount	Invoice Description
23215 WIL-KIL PEST CONTROL	1135220	31100	55	07-202-240	40.00	MICE CONTROL
	1087519	31100	55	07-202-240	80.00	MICE CONTROL
	1189932	31100	55	07-202-240	40.00	MICE CONTROL
Check Date	11/15/2007	Check Nbr	014816	Check Total:	160.00	
23275 WINNEBAGO COUNTY TREASURER	LF112718	31100	54	10-304-250	8,219.87	LANDFILL FACILITY
	LF112718	31100	54	10-305-216	2,472.84	LANDFILL FACILITY
	LF112718	31266	54	10-307-216	1,460.95	LNADFILL FACILITY
Check Date	11/15/2007	Check Nbr	014817	Check Total:	12,153.66	
23371 WISCONSIN DEPT OF JUSTICE-TIME	I4498	31100	52	08-101-221	547.50	TIME ACCESS QUARTERLY CHARGE
Check Date	11/15/2007	Check Nbr	014818	Check Total:	547.50	
	L7101T	31100	52	08-101-216	20.00	NAME SEARCHES
Check Date	11/15/2007	Check Nbr	014819	Check Total:	20.00	
23455 WISCONSIN SUPPORT COLLECTIONS		31100	21	04-299-015	436.31	
		31100	21	04-299-016	138.40	
Check Date	11/15/2007	Check Nbr	014820	Check Total:	574.71	
23545 WORLDWIDE INFORMATION INC	3070/INV0167919	31100	52	08-101-216	114.00	VEHICLE REGISTRATION CHECKS
Check Date	11/15/2007	Check Nbr	014821	Check Total:	114.00	
26200 ZARNOTH BRUSH WORKS INC	114439	31100	54	10-123-315	131.00	DIRT SHOES
Check Date	11/15/2007	Check Nbr	014822	Check Total:	131.00	
Grand Total:					178,953.58	



STREET USE APPLICATION

ANNUAL FOX CITIES

Sponsored by: 14 TH NEW YEAR'S EVE CELEBRATION

Responsible Person: COMMUNITY FORWARD INC.

Address: P O BOX 185

MENASHA, WI

Phone: 725 - 4857

Street Use Date: 12-31-07

Start Time: 10:30 PM

End Time: 12:30 AM

Number of Units: _____

Street Route: (Attach Map)
Description of Use

MAIN + MILWAUKEE STS.

LIABILITY INSURANCE HAS BEEN SECURED IN THE AMOUNT OF \$ 1,000,000 WITH
THE CITY OF MENASHA NAMED AS ADDITIONAL INSURED.

Insurance Company CAPITOL INDEMNITY CORP. Policy No. _____
(Attached is a copy of the insurance certificate).

NOTE TO EVENTS PLANNING TO USE CITY PARKS AND/OR GREENSPACE: Any multi-day event or event which plans to sell beer and/or wine to the public must appear before the Parks and Recreation Board.

DATE: 11-13-07 APPLICANT'S SIGNATURE: _____

James Taylor

TO BE COMPLETED BY CITY STAFF

SCHEDULED PARK & RECREATION BOARD REVIEW DATE: _____

* NOT REQUIRED: ☒ APPROVED: _____ DENIED: _____

* Park reservation form and fees required by DEC. 28 - PRD TUNGATE

SCHEDULED COMMON COUNCIL REVIEW DATE: 11/19/07

APPROVED: _____ DENIED: _____

APPROVAL:

Police Dept. MB

Fire Dept. FR

F520

Public Works Dept. MR

City Attorney JSB

STREET

PUBLIC PARKING

Don's Family
Bakery & Restaurant
NOT NEW NOW!
HAWKINS
CHIROPODIST



MAIN STREET

BANTA
CORPORATION

MILL



Morton
Drug

1000 W
1973

STREET

GRAND STANDS

MARINA



CENTER

Main Stage *
Bunderson
UNIFORM & LINEN RENTAL

PUBLIC
PARKING

WATER

FIREWORKS
DISPLAY
AREA

BROAD

Germania Hall

FIRSTAR

Milwaukee
Chiropractic

CHUTE

PUBLIC
PARKING

NAUT'L LANDING
RESTAURANT

WISCONSIN
TISSUE

BUILDING

PRODUCER

ISC-Rippl/Manier Group
PO Box 207 - 333-D 1st Street
Menasha WI 54952
Phone: 920-722-2799 Fax: 920-722-1590

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURERS AFFORDING COVERAGE

NAIC #

INSURED

Community Forward, Inc.
PO Box 185
Menasha WI 54952

INSURER A: Capitol Indemnity Corporation

INSURER B:

INSURER C:

INSURER D:

INSURER E:

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR ADD'L LTR INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS	
A	GENERAL LIABILITY	CP00325121	06/15/07	06/15/08	EACH OCCURRENCE	\$ 1,000,000
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY				DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 100,000
	<input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR				MED EXP (Any one person)	\$ 5,000
					PERSONAL & ADV INJURY	\$ 1,000,000
					GENERAL AGGREGATE	\$ 2,000,000
					PRODUCTS - COMP/OP AGG	\$ 2,000,000
					GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC	
	AUTOMOBILE LIABILITY				COMBINED SINGLE LIMIT (Ea accident)	\$
	<input type="checkbox"/> ANY AUTO				BODILY INJURY (Per person)	\$
	<input type="checkbox"/> ALL OWNED AUTOS				BODILY INJURY (Per accident)	\$
	<input type="checkbox"/> SCHEDULED AUTOS				PROPERTY DAMAGE (Per accident)	\$
	<input type="checkbox"/> HIRED AUTOS					
	<input type="checkbox"/> NON-OWNED AUTOS					
	GARAGE LIABILITY				AUTO ONLY - EA ACCIDENT	\$
	<input type="checkbox"/> ANY AUTO				OTHER THAN EA ACC	\$
					AUTO ONLY: AGG	\$
	EXCESS/UMBRELLA LIABILITY				EACH OCCURRENCE	\$
	<input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE				AGGREGATE	\$
						\$
	<input type="checkbox"/> DEDUCTIBLE					\$
	<input type="checkbox"/> RETENTION \$					\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY				WC STATUTORY LIMITS	OTHER
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED?				E.L. EACH ACCIDENT	\$
	If yes, describe under SPECIAL PROVISIONS below				E.L. DISEASE - EA EMPLOYEE	\$
					E.L. DISEASE - POLICY LIMIT	\$
	OTHER					

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS

Certificate holder is listed as additional insured as their interest may appear.

CERTIFICATE HOLDER

CITYM-1

City of Menasha
140 Main Street
Menasha WI 54952

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 10 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE

Pauline M. Huven

IMPORTANT

If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

DISCLAIMER

The Certificate of Insurance on the reverse side of this form does not constitute a contract between the issuing insurer(s), authorized representative or producer, and the certificate holder, nor does it affirmatively or negatively amend, extend or alter the coverage afforded by the policies listed thereon.

From: Michael Larsen [mailto:michalarsen@gmail.com]

Sent: Monday, November 12, 2007 7:39 AM

To: Debbie Galeazzi

Cc: Joe Laux; tmichalkiewicz@ci.menasha.wi.us.; Jan Chase Home E-mail; tmichalki@ci.menasha.wi.us; Terry Eckstein; Eric Hendricks; Steve Pack; Sue Wisneski; James Taylor; Don Merkes

Subject: 2008 Budget Request: Install drainage pipe between Manitowoc Road and Grassy Plains Drive

Dear Council members,

Please accept this correspondence as a formal request to include the following in the 2008 budget:

Install drainage pipe between Manitowoc Road and Grassy Plains Drive.

As taxpayers living in the City of Menasha, we find the drainage sewer which runs through our property to be a serious safety hazard and that the close construction of 2140 Grassy Plains Drive violates at least two of the City of Menasha's ordinances. Furthermore, such requests have been approved by the city in the past.

The drainage sewer in question is roughly 200 feet long, 30 feet wide, and six feet deep. From my research and conversations with professionals, the ditch is required to be this big in order to handle the high volume of rainwater it receives. With only a medium rain we are confronted with flash flood conditions. In an instant, the empty ditch easily swells to five feet wide and two feet deep. This is enough to easily sweep a child away.

There is a mere 18 feet from the center of the ditch to the side of our house. The grade / slope begins immediately from the side of our home, which does not leave room for error in footing. If an adult were to sustain a fall, it may only create embarrassment or a non-serious injury such as a dislocated shoulder. However, we fear a child would not fare so well. In the condition of rain, a child could easily be swept away and possibly trapped inside the culvert which runs under Grassy Plains Drive or even knocked unconscious by rip rap (large stones) on the other side.

The drainage sewer is located in a young neighborhood with several children ranging in age from newborn to fourteen years old. We all know that even the best parents cannot stop a curious child from exploring. How many times have you heard, "I just turned to answer the phone," or "I only looked away for a second?" In recent news a Wisconsin Senator accidentally ran over his own grandchild! Sadly these things happen to responsible people. Our daughter is one year old and she lives four feet from disaster.

In accordance with the City of Menasha's Code of Ordinance Sec. 14-1-14, pgs. 14-23, "Storm drainage facilities shall be so designed as to present **no hazard to life** or property, and the size, type and installation of all storm water drains and sewers proposed to be constructed shall be in accordance with the plans and specifications approved by the City Engineer." We believe the construction of our home to be in direct violation of this ordinance. With this stated, I must ask how in 2005 the city allowed Creative Custom Homes to construct a house four feet from a high

flow open storm sewer without the intention of piping it? Director Radtke or Director Keil, I would like to request a copy of said contracts, permits, and/or plans at this time.

The City of Menasha's City Ordinance O-16-07 Sec. 13-1-27 specifies a side yard minimum of eight feet, however there is only four feet from our house to the easement. Clearly the eight feet side yard minimum is currently in violation and was also at the time of construction.

The same type of 36 inch culvert system that we are requesting was installed by the City of Menasha to the north of our property between Plank Rd and Manitowoc Rd. Jeremy Lawrence, the homeowner at 2159 Plank Rd, had requested to have the pipe installed and the city did so at no cost to him in 2004. At this time, the 36 inch black pipe had two open ends. In 2005, Jeremy Lawrence requested to have the end at 2159 Plank Road enclosed and once again the city approved and did the work at no cost to him. In 2007, the homeowner at 2160 Manitowoc Road (the south end of the pipe) had requested to have a grate installed over their side of the pipe. The proposal was approved and it was later determined that the public works department could enclose the end of the pipe at no cost to the property owner. For more details on the work performed at these locations, please see Director Radtke as he should have the details on record.

I am sending this email to everyone because I'm unsure who to turn to next. My last conversation with the Mayor, Director Radtke, and Aldermen Chase was at my home. We discussed a few options such as a retainer wall running the length of our house or to plant some foliage native to WI. They resolved to contact a landscaper for some additional ideas, however Aldermen Chase recently indicated that Public Works has only looked into plants. I am sorry but this is unacceptable. Plants will not take the slope of the easement away nor will it take away the fact that water will still be rushing through every time it rains. Thus, we are still presented with the danger of losing a child. I am requesting that a drainage pipe be installed which would include our 151 feet and our neighbors 50 feet. Director Radtke estimated the work would cost approximately \$17,500 to \$25,000 to enclose the entire 200 feet.

I have attached a couple of photos of the drainage sewer for your reference. Thank you for your help in resolving this issue.

Sincerely,

Michael Larsen







Memorandum

DATE: November 14, 2007

TO: Board of Public Works

FROM: Mark Radtke, Director of Public Works

RE: Drainageway at 2140 Grassy Plains Drive

Attached to this memo is a report from the September 4, 2007 Board of Public Works meeting, a copy of the Municipal Code section regarding special assessment policy, and a proposal from a consultant for preparing a landscape plan for the involved drainageway.

My recommendation from the previous report remains intact; however, there is one other option available to the City which involves the placing of stone rip rap along the bottom of the drainageway and planting native species plantings within the sloped areas of the drainageway as a means to control erosion and improve the appearance of the drainage easement. At this time, I do not have an estimate of cost for this alternative, but it would be significantly less than enclosing the drainageway with a storm sewer and it would allow the City to take credit for total suspended solids removal per the new DNR stormwater regulations.

Attachments
C: Mayor Laux



Memorandum

DATE: August 30, 2007

TO: Board of Public Works

FROM: Mark Radtke, Director of Public Works

RE: Concern regarding Drainageway at 2140 Grassy Plains Drive

At a previous Board meeting, the resident at 2140 Grassy Plains Drive, Mr. Michael Larsen, has requested the City to consider enclosing the open drainageway located along the west side of his property. His reason for this request is to eliminate the steep slopes which exist along this stretch, especially in the vicinity of his house.

The City has a 30 foot drainage easement along this corridor. It is open drainage from the end of a storm pipe on the north to the storm pipe crossing beneath Grassy Plains Drive, a distance of approximately 200 feet. Except for the northerly 35 feet, the entire drainageway is located on Mr. Larsen's property. The open drainageway continues flowing southerly through this subdivision and Southfield subdivision before discharging into a wetlands area south of Southfield Subdivision.

To enclose the 200 foot section of drainageway north of Grassy Plains Drive would cost approximately \$17,500 to \$25,000 depending on the type of pipe installed, with the lower estimate for corrugated metal pipe and the higher estimate for concrete pipe. Concrete pipe has approximately double the life of the metal pipe.

If the Council decides to enclose this section of drainageway, I believe there would be future requests from homeowners abutting the downstream segments of this drainageway to enclose those sections as well. The total estimated cost for the sections south of Grassy Plains Drive is \$150,000 to \$225,000, depending on pipe material. It is also important to realize that new stormwater standards require municipalities to reduce the amount of suspended solids entering waters of the state. Credit is given for stormwater conveyed in open drainageways because of the sediment filtering characteristics of an open drainageway.

Based on the above factors, I recommend the City not enclose this drainageway. We could consider lining these sections of drainageway with rip rap, which would stabilize the side slopes and reduce erosion, at a much more reasonable cost (approximately \$25,000 for the entire length). Eventually vegetation would establish itself through the rip rap material, presenting a more aesthetically pleasing corridor.

C: Mayor Laux

M:\word\BPW memo re drainage 2140 Grassy Plain 8-30-07.doc

CHAPTER 2

Special Assessments

SEC. 3-2-1 COMMON COUNCIL MAY LEVY SPECIAL ASSESSMENTS.

- (a) The City of Menasha by resolution of its Common Council may levy and collect special assessments upon property in a limited and determinable area under its police powers for any municipal work or improvement and may provide for the payment of all or any part of the cost of the work or improvement. In addition to other methods approved by law, special assessments for any public work or improvement or any special charge for current services may be levied in accordance with the provisions of this Chapter.
- (b) The favored procedure in the City for proceeding with making specially assessable public improvements as generally set forth in this Chapter is not intended in any way to disregard or to bar proceeding under other methods provided by law for making of public improvements and for the levying of assessments therefor. Nor is this Chapter intended to be an exhaustive, detailed recodification of the state law under said statutory section. Detailed requirements still require reference to said statutory section and the subsections there under. The purpose hereof is to generally define and establish local procedures.

State Law Reference: Section 66.62, Wis. Stats.

SEC. 3-2-2 RESOLUTION AND REPORT REQUIRED.

- (a) Prior to making any such special assessments, the Common Council shall declare by preliminary resolution its intention to exercise its police powers for a stated municipal purpose. Such resolution shall describe generally the contemplated purpose, the limits of the proposed assessment district, the number of installments in which the special assessments may be paid or that the number of installments will be determined at the hearing required under Section 3-2-5 of this Chapter and direct the proper municipal officer or employee to make a report thereon. Such resolution may limit the proportion of the cost to be assessed.
- (b) The report required by Subsection (a) shall consist of:
 - (1) Preliminary or final plans and specifications.
 - (2) An estimate of the entire cost of the proposed work or improvement.
 - (3) An estimate, as to each parcel of property affected, of:
 - a. The assessment of benefits to be levied.
 - b. The damages to be awarded for property taken or damages.
 - c. The net amount of such benefits over damages or the net amount of such damages over benefits.
 - (4) A statement that the property against which the assessments are proposed is benefited, where the work or improvements constitute an exercise of the police power. In such case, the estimates required under Subsection (3) shall be replaced by a schedule of the proposed assessments.
 - (5) A copy of the report when completed shall be filed with the City Clerk for public inspection.
- (c) When the Common Council determines by resolution that the hearing on the assessments be held subsequent to the completion of the work or improvement or rendering of the service,

the report required by Sec. 66.60(3), Wis. Stats., and Subsections (a) and (b) above shall contain a statement of the final cost of the work, service or improvement in lieu of an estimate of the cost.

SEC. 3-2-3 COSTS THAT MAY BE PAID BY SPECIAL ASSESSMENT.

The cost of any work or improvement to be paid in whole or in part by special assessment on property may include the direct and indirect cost thereof, the damages occasioned thereby, the interest on bonds or notes issued in anticipation of the collection of the assessments, a reasonable charge for the services of the administrative staff of the City and the cost of any architectural, engineering and legal services, and any other item of direct or indirect cost which may reasonably be attributed to the proposed work or improvement. The amount to be assessed against all property for any such proposed work or improvement shall be apportioned among the individual parcels in the manner designated by the Common Council.

SEC. 3-2-4 EXEMPTIONS; DEDUCTIONS.

- (a) If any property deemed benefited shall by reason of any provision of law be exempt from assessment therefor, such assessment shall be computed and shall be paid by the City.
- (b) A parcel of land against which has been levied a special assessment for the sanitary sewer or water main laid in one of the streets upon which it abuts shall be entitled to such deduction or exemption as the Common Council determines to be reasonable and just under the circumstances of each case when special assessment is levied for the sanitary sewer or water main laid in the other street upon which such corner lot abuts. Under any circumstances the assessment will not be less than the long way of such lot. The Common Council may allow a similar deduction or exemption from special assessments levied for any other public improvement.

SEC. 3-2-5 NOTICE OF PROPOSED OR APPROVED PROJECT.

- (a) **NOTICE REQUIREMENTS.** On the completion and filing of the report and final resolution with the City Clerk required in Section 3-2-5(b)(5) of this Chapter, the City Clerk shall prepare a Notice of Hearing, which notice shall comply with Sec. 66.60(7), Wis. Stats., and state the nature of the proposed or approved work or improvement, the general boundary lines of the proposed assessment district, the place and time at which the report may be inspected and the place and time at which all interested persons, their agents or attorneys may appear before the Common Council or Committee thereof and be heard concerning the matters contained in the preliminary resolution and report. Such notice shall be signed by the City Clerk who shall cause the same to be published at least once in the official newspaper and shall mail a copy of such notice at least ten (10) days before the hearing to every interested person whose post office address is known or can be ascertained with reasonable diligence. The hearing shall commence not less than ten (10) days and not more than forty (40) days after the publication or mailing of said notice.
- (b) **WAIVER OF NOTICE, ASSESSMENTS UNDER.** The Council may, without any notice of hearing, levy and assess the whole or any part of the cost of any municipal work or whole or any part of the cost of any municipal work or improvement as a special assessment

upon the property specifically benefited thereby whenever notice and hearing thereon is in writing waived by all the owners of property affected by such special assessment. In such cases, the procedure shall be the same as hereinbefore provided excepting for the noticing and holding of public hearing thereon.

SEC. 3-2-6 COUNCIL ACTIONS AFTER HEARING.

- (a) After the hearing, the Common Council may:
 - (1) Approve, disapprove, modify or re-refer the report to the Director of Public Works or other designated City official with such directions as it deems necessary to change the plans and specifications as to accomplish a fair and equitable assessment.
 - (2) Continue the public hearing, preliminarily approve plans and specifications and, if the project requires advertising for bids, authorize and direct the advertisement therefor with a date certain for consideration and taking action thereon, inclusive of action on said report and action on final resolution.
- (b) If an assessment be made against any property and an award of compensation or damage be made in favor of the property, the Common Council shall assess only the difference between such assessment of benefits and the award of compensation or damage.
- (c)
 - (1) If the work or improvement has not been previously authorized or approved, the Common Council shall approve the work or improvement and by resolution direct that the same be done and paid for in accordance with the report finally approved.
 - (2) If the work or improvement has been approved by the Common Council or work commenced or completed prior to the filing of the report or prior to the hearing, then the Common Council shall by resolution confirm the report as made or modified and provide for payment in whole or in part by assessment.
- (d) The City Clerk shall publish the final resolution as required in Section 3-2-5 of this Chapter.
- (e) After the publication of the final resolution, any work or improvement provided for and not yet authorized shall be deemed fully authorized and all awards of compensation or damage and all assessments made shall be deemed duly and properly made, subject to the right of appeal by Section 66.60(12), Wis. Stats., or any other applicable provision of law.

SEC. 3-2-7 COMBINED ASSESSMENTS.

If more than a single improvement is undertaken, the Common Council may combine the assessments as a single assessment on each property affected except that the property owner may object to any one or more of said improvements.

SEC. 3-2-8 COUNCIL'S POWER TO AMEND, CANCEL OR CONFIRM SPECIAL ASSESSMENT.

If, after completion or after the receipt of bids, the actual cost of any work or improvement is found to vary materially from the original estimate, or the assessment is void or invalid for any reason, or if the Common Council determines to reconsider an assessment, it is empowered, after giving notice as required in Section 3-2-5 to amend, cancel or confirm any prior assessment; and notice of this amending, canceling or confirming be given by the City Clerk as provided in Section 3-2-6 of this Chapter.

SEC. 3-2-9 WHERE COST OF IMPROVEMENT IS LESS THAN ASSESSMENT.

If the cost of the work or improvement is less than the assessment levied, the Common Council without notice or hearing shall reduce each assessment proportionately. If the assessment has been paid either in part or in full, the City shall refund the property owner such overpayment.

SEC. 3-2-10 APPEALS; APPEALED ASSESSMENTS PAYABLE WHEN DUE.

- (a) Any person against whose property a special assessment is levied under this Chapter may appeal there from in the manner prescribed by Section 66.60(12) of the Wisconsin Statutes, as amended, within forty (40) days of the date of the final determination of the Common Council.
- (b) Pursuant to Section 66.60(f), Wis. Stats., it shall be a condition to the maintenance of any appeal that any assessment appealed shall be paid when due and payable, and upon default in payment any such appeal shall be dismissed.

SEC. 3-2-11 PAYMENT OF SPECIAL ASSESSMENTS; SPECIAL ASSESSMENT A LIEN ON PROPERTY.

Pursuant to Subsection (13) of Section 66.60, Wis. Stats., any special assessment levied under this Chapter shall be a lien on the property against which it is levied on behalf of the City. The Common Council shall provide for the collection of such assessments and may establish penalties for payment after the due date. The Common Council shall provide that all assessments not paid by the date specified shall be extended upon the tax roll as a delinquent tax against the property and all proceedings in relation to the collection of such delinquent taxes shall apply to such assessment, except as otherwise provided by statute.

SEC. 3-2-12 SPECIAL CHARGES PERMISSIBLE.

- (a) In addition to all other methods provided by law, special charges for current services may be imposed by resolution by the Common Council by allocating all or part of the cost of the property served. Such resolution setting forth the property location, the current service rendered by the City and special charge therefor or cost thereof. Such resolution for special charges may include snow and ice removal, weed elimination, street sprinkling oiling or tarring, repair of sidewalks or curb and gutter, garbage and refuse disposal, sewer and water

service and tree care or removal. The provision for notice of such charges shall be optional with the Common Council except that in the case of street, sidewalk, curb or gutter repair, twenty (20) days' notice published in the official City newspaper, or by posting such notice in three (3) places in the City and a copy of such notice mailed to every interested person whose post office address is known, at least ten (10) days before the hearing or proceeding. Such notice shall specify that on a certain date a hearing will be held by the Common Council as to whether the service in question shall be performed.

- (b) Special charges for current services shall not be payable by installments. If not paid within the period fixed by the Common Council in said resolution, such delinquent special charges, pursuant to Section 3-2-11, shall become a lien on said property as of the date of such delinquency and shall automatically be extended upon the current or next tax roll as a delinquent tax against the property, as provided by Section 66.60(16) of the Wisconsin Statutes, and all proceedings in relation to the collection, return and sale of property for delinquent real estate taxes shall apply to such special charge. Notice of special charges for current services need not be given except as required by Section 66.60(16) of the Wisconsin Statutes, as amended.
- (c) Section 3-2-2(a) of this Chapter shall not be applicable to proceedings under this Section.

State Law Reference: Section 66.60(16), Wis Stats.

SEC. 3-2-13 MISCELLANEOUS PROVISIONS.

- (a) If any assessment or charge levied under this Chapter is invalid because such Statutes are found to be unconstitutional, the Common Council may thereafter reassess such assessment or charge pursuant to the provisions of any applicable law.
- (b) Notwithstanding any other provision of law, or this or other ordinance or resolution, it is specifically intended and provided by this Chapter that the City may levy special assessments for work or improvement against the property affected either before or after the approval of the work plans and specifications, contracting for the work or completing the work or improvement.

SEC. 3-2-14 INSTALLMENT AND DEFERRED SPECIAL ASSESSMENTS.

(a) INSTALLMENT PAYMENT.

- (1) All special assessments may be paid, at the option of the property owner according to the following:
 - a. Special assessments less than or equal to Five Hundred Dollars (\$500.00) shall be paid to the City Treasurer without interest within thirty (30) days of billing.
 - b. Special assessments greater than Five Hundred Dollars (\$500.00) but less than or equal to Two Thousand Five Hundred Dollars (\$2,500.00) may be paid in five equal installments due and payable on or before November 1 commencing with the year the special assessment is levied and each November 1, thereafter, together with the interest as assigned. Interest shall accrue at the rate the City has borrowed the money plus 1% for administrative expenses. Should the money to pay for the project not be borrowed, interest shall be set at a rate established by the Common Council

in the final resolution required by Sec. 3-2-6.

- c. Special assessments greater than Two Thousand Five Hundred Dollars (\$2,500.00) may be deferred for the initial five years after passage of the final resolution required by Sec. 3.2.6. Thereafter they shall be paid in five equal installments due and payable on or before November 1 commencing with the sixth year after the special assessment is levied and each November 1 thereafter, together with the interest as assigned. Interest shall accrue at the rate the City has borrowed the money plus 1% for administrative expenses. Should the money to pay for the project not be borrowed, interest shall be set at a rate established by the Common Council in the final resolution required by Sec. 3-2-6.

- (2) The City Comptroller shall enter the first installment due on the subsequent year's tax roll as a special tax on the property on which the special assessment was levied, and thereafter this tax shall be treated in all respects as any other city tax, and one of the subsequent installments shall be included in like manner and with like effect in each of the annual tax rolls thereafter until all are collected.
- (3) If any installment so entered in the tax roll shall not be paid to the City Treasurer with the other taxes it shall be returned to the county as delinquent and accepted and collected by the county in the same manner as delinquent general taxes on real estate.
- (4) Whenever the Common Council shall permit any special assessment for any such improvement to be paid in installments, the City Clerk shall cause to be published in the official paper of the City the "Installment Assessment Notice" as provided under Chapter 66.54(7), Wis. Stats.
- (5) After the time for making election as provided in the notice shall have expired, all remaining assessment installments may be paid in full before due by the payment of the installments together with interest to become due at the next installment due date on all of the remaining installments.
- (6) A schedule of the special assessment and all installments thereof shall be recorded in the office of the City Treasurer.

(b) **DEFERRED SPECIAL ASSESSMENTS.**

- (1) Deferred Special Assessments Permitted. The Common Council may by motion direct the City Treasurer to pay all or any portion of special assessments or special charges extended upon the current or next tax roll against property owned by or upon which reside worthy, indigent persons in accordance with the provisions of Chapter 74.77, Wis. Stats., with an annual interest rate as established by the Common Council.
- (2) Who May Apply. Applications for deferment of payment shall be made upon a form provided by the City Clerk, verified by the applicant, and the information only contained therein shall be treated as confidential, privileged information.
- (3) Who Shall Make Determination. Application shall be reviewed by the Board of Public Works for the Common Council. All the provisions of Section 74.77, Wis. Stats., shall be applicable.
- (4) Duty of City Attorney. Upon the Common Council granting such application, it shall be the duty of the City Attorney to file the necessary lien on said property.
- (5) Deferred Assessments (pursuant to Sections 66.60 and 66.605, Wis. Stats.).
 - a. Wetlands. Property designated as protected "wetlands" on the DNR-approved wetlands map shall be assessed, but the assessment deferred. However, upon change from wetland to developable status in the future, for any reason, the assessment shall then immediately become due and payable

as otherwise required by this section. Conclusive evidence of this change to assessment-due status shall be deemed to exist upon the issuance of any building permit on any lot or parcel with a contiguous property parcel held by a single legal entity.

- b. Agricultural. Property used in agriculture for crops or pasture and over five (5) acres in size shall be assessed, but the assessment deferred, upon approval of request for deferment by the Common Council.
- c. Topographically Unbuildable Parcels. If an entire, defined, platted lot is deemed by the Common Council to be unbuildable, any assessment may be deferred by the Common Council. However, upon change from topographically unbuildable parcel to developable status in the future, for any reason, the assessment shall then become due and payable as otherwise required by this section. Conclusive evidence of this change to assessment-due status shall be deemed to exist upon the issuance of any building permit for any lot or parcel within a contiguous property parcel held by a single legal entity.
- d. Under paragraph a. above, the wetlands deferred assessment may remain in force in perpetuity, unless there be the change from wetlands to developable status in the future. Under paragraph c. above, the topographically unbuildable parcel deferred assessment may remain in force i perpetuity, unless there be a change from topographically unbuildable parcel to developable status in the future.

SEC. 3-2-15 STREET ASSESSMENTS.

- (a) It is the policy of the City of Menasha that all property owners shall pay for a road and that all subsequent repair and maintenance shall be borne from the general funds and shall not be assessed against the property of the owner. However, nothing shall prevent the abutting property owners to petition the Council for a higher classification of a road than now exists or the Council from on its own motion ordering such classification. In that event, the provisions of Chapter 66.60, Wis. Stats., of the assessment powers or the police powers permitted by law shall prevail.
- (b) Temporary asphalt mats are determined to be one step in the construction of a permanent finished urbanized road section and may be assessable. When the Director of Public Works determines that a permanent finished, urbanized road section is needed to replace the temporary asphalt mat, the assessment policies of this chapter will apply irrespective of 3-2-15.

SEC. 3-2-16 ASSESSMENT DETERMINATIONS.

- (a) **SCHEDULE.** Special assessments shall be levied against all property fronting or abutting on a proposed improvement at a rate to be determined per project by the Board of Public Works on the basis of a unit cost per foot fronting or abutting in the proposed improvement. Such rates of assessment shall be approved by motion and resolution passed by the Common Council. Should the bids come in lower than the established assessment ratios, credit may be granted.
- (b) **INTERIOR LOTS.** On interior lot road construction and improvements including the

laying of a base course, paving and curb and gutter, said footage shall be determined as shown on the plat or other recorded instrument. This shall also apply to sanitary sewers and water mains.

(c) **CORNER LOTS.** (All Assessments)

- (1) If the long side of a corner lot is developed first and any special assessments are levied, then the entire footage shall be assessed. Later when the short side is improved, there shall be no assessment.
- (2) If the short side of a corner lot is developed first and in which normal assessment procedures shall apply, then the property owner shall be assessed in full for the short side and later when the long side is developed said property owner will be given credit for the footage on the short side.

(d) **MULTIPLE FRONTAGE LOTS.**

- (1) If a lot has been developed so that it fronts two parallel streets or two streets travelling in the same general direction, any special assessment to be levied will not exceed the amount subject to assessment if the longest frontage is developed first. Any assessment levied and paid for any shorter side will be credited against the assessment which would normally be levied for the longer side.
- (2) In the event the lot is also a corner lot, Section 3-2-16(c) will also apply.

(e) **LIMITED ACCESS LOTS.** If the City improves a street such that there is no benefit to adjoining property owners, no assessment will be levied.

(f) **STREETS.** All street assessments shall be based upon excavation, graveling, grading, curb and gutter, and finished asphalt. Should the Common Council determine that due to the nature of the affected properties that it is more appropriate to construct streets with concrete, then assessments will be based upon excavation, graveling, grading, curb and gutter and finished concrete.

(g) **STORM SEWERS.** All storm sewer construction shall be based upon an eighteen (18) inch main in newly developed areas and:

- (1) Shall be assessed one hundred percent (100%) based upon frontage.
- (2) All storm sewer mains to newly developed areas shall be assessed one hundred percent (100%).

(h) **SANITARY SEWER MAINS.** All sanitary sewer mains shall be based upon an eight (8) inch diameter main in newly developed areas and:

- (1) Shall be assessed one hundred percent (100%) based upon frontage.
- (2) All sanitary sewer mains to newly developed areas shall be assessed one hundred percent (100%).

(i) **WATER MAINS.** All water mains shall be based upon an eight (8) inch diameter main in newly developed areas and:

- (1) Shall be assessed one hundred percent (100%) based upon frontage.
- (2) All water mains to newly developed areas shall be assessed one hundred percent (100%).

(j) **SERVICE AND LATERALS.** Property owners will be assessed one hundred percent (100%) for the service laterals from the main to the terminal point on their lots.

(k) **STREET LIGHTING.** All street lighting in newly developed areas shall be assessed one hundred percent (100%). Any decorative street lighting must be approved by the Common Council. Decorative street lighting shall be assessed such that the annual increased charge above normal street lighting is assessed against benefited property owners.

(l) **UNPLATTED LANDS.** Where the lands are unplatted and where the property is not to be served in its entirety by sewer and/or water, then only that portion actually served shall be

assessed.

- (m) **NEWLY ANNEXED AND UNDEVELOPED AREAS.** Subdividers and other individuals and corporations bringing into the City of Menasha newly annexed areas with inadequate public improvements, as determined by the Director of Public Works, shall pay one hundred percent (100%) assessments for all streets. The same shall hold true for the undeveloped areas within the City. It shall make no difference whether such road work shall be considered repair or rebuilding. Such assessments shall include excavation, graveling, grading, surfacing, and curb and gutter.
- (n) **DEPRECIATION FACTOR.** For property in newly annexed areas where sewer and water have been previously laid, the owners of the newly annexed lots or parcels not previously served by such water or sewer mains shall pay in proportion to the depreciated value of the sewer or water main. The depreciated value shall be determined by the sewer or water assessments at the time water and sewer mains were laid, less an annual depreciation of 1.25%. The 1.25% shall not be prorated on a monthly basis, but shall commence with January 1 of each and every year. Such assessment shall not be used to reimburse any property owners who have been previously assessed.

SEC. 3-2-17 UNPAID UTILITIES BILLS

- (a) At least once each year the General Manager of the Utilities shall certify to the City Treasurer those utility bills, water, sewer and electric, deemed by him as uncollectible with administrative reasons therefor. An unpaid bill in the hands of a collection agency for more than 120 days without being collected is deemed uncollectible.
- (b) Prior to the General Manager's certifying to the City Treasurer real estate against which utility bills are outstanding, he shall serve such notice on the owners of the real estate as many times as he deems necessary. However, the notice shall contain information to the fact that a penalty assessment will be made in the amount of 10% unless such utility charges are paid by November 1st of each year. The deadline for payment of such bills plus penalty shall be November 15th of each and every year.
- (c) Each and every notice shall contain a provision that the user may appeal the amount owed to the Electric & Water Utility Commission and hearing granted. In no event will a hearing be granted after November 1st of each and every year.
- (d) Pursuant to Statutes, such notice shall be served by delivery to either the owner or occupant, either personally or by letter addressed to such owner/occupant at the post address of such lot or parcel of real estate. On November 16th of each and every year, the General Manager of the Utility or his designee shall certify and file with the Clerk, pursuant to statute, a list of all lots or parcels of real estate, and state the amount of such arrears, together with any added penalties that may apply.
- (e) Each such delinquent amount, including such penalty, shall thereupon become a lien upon the lot or parcel of real estate to which utility service has been furnished. All proceedings in relation to the collection of general property taxes and to the return of sale of property for delinquent taxes shall apply to said tax if the same is not paid within the time required by law for payment of taxes upon real estate



119 South Main Street | PO Box 128 | Cottage Grove, Wisconsin 53527-0128
Ph: 608.839.1998 | Fax: 608.839.1995

www.nrc-inc.net

October 17, 2007

Mr. Mark Radtke, P.E., Director
Menasha Department of Public Works
140 Main Street
Menasha, WI 54952-3151

**RE: *Proposal for Environmental Services – Channel Landscape Design
Ridgecrest Lane and Grassy Plains Drive
Menasha, Wisconsin***

Dear Mark:

Natural Resources Consulting, Inc. (NRC) is pleased to provide you with this proposal for completion of a landscape design at the above-referenced site. We have prepared this proposal based on our understanding of the site following our October 1, 2007 field review.

This proposal includes sections presenting our scope of work, cost estimate and schedule for your consideration. This proposal includes sections presenting our scope of work, cost estimate, and schedule. Attached is a standard consultant agreement for review and approval. Once we receive an executed contract or a written authorization to proceed, we will initiate this project and will certainly be able to meet your schedule.

PROJECT UNDERSTANDING

The City of Menasha is working closely with residents adjacent to an existing stormwater channel and is considering options to naturalize the channel. The channel is located crosses Ridgecrest Lane and Grassy Plains Drive. During our field review we discussed several options that include installing rock in the base of the channel to stabilize the channel base, installing low rock weir structures within the channel to retain low flow stormwater events, installing retaining walls adjacent to existing homes, and landscaping with native vegetation to stabilize the channel slopes and improve aesthetics.

NRC is prepared to work closely with the City of Menasha to develop a conceptual design plan for this site. We are also prepared to support this project by participating in public information meetings or neighborhood meetings to discuss the site design.

SCOPE OF WORK

NRC proposes the following Scope of Work to support the City of Menasha on this project:

- Meet with the City of Menasha to evaluate options and develop a conceptual design plan for the channel. The City of Menasha staff will provide engineering support during the project design.
- Attend one public information meeting with City of Menasha staff and local residents to review the conceptual design plan and select a preferred design option.
- Prepare a scaled planting plan using PRO Landscape v. 13 software to naturalize the channel. The planting plan will include a mix of native shrubs, native herbaceous plants (live stock), and a seed mix of native grasses and herbaceous species. The City of Menasha will provide an AutoCAD drawing of the site to serve as the base map for the planting plan.

- The planting plan will include project-specific planting notes and installation recommendations. NRC assumes that standard landscaping practices for installation of plant material will apply.
- Prepare a materials list, including species, quantity, and size. Project specifications will not be prepared as part of this project scope.
- Attend one site meeting prior to installation to review the planting plan with the selected contractor. NRC assumes on-site inspection services will be provided by the City of Menasha.
- Prepare general vegetation maintenance guidelines. Maintenance will be the responsibility of the supplier and installation contractor.

EXTRA SERVICES

Extra services are those services that are not part of the scope of work detailed in this proposal but, based on our experience, may potentially be needed for a project of this type. NRC is available to complete extra services as authorized by the Client on a time and materials basis. Extra services may include, but are not necessarily limited to, the following:

- Regulatory agency coordination and permit application preparation.
- Monitoring and maintenance of established plant communities.
- Attendance at meetings beyond those described above.

PROJECT COSTS

NRC will complete the services outlined in this Scope of Work on a **time and materials basis of \$3,495**, including reimbursable expenses (such as mileage, copying, etc.).

Any additional costs that arise in association with this Scope of Work will be closely coordinated with the Client so that the fee estimate is not exceeded without clear understanding of both parties. NRC will complete other tasks in addition to the outlined Scope of Work, as authorized by the Client, on a time and materials basis at the following hourly billing rates:

Principal Scientist	\$88-94 / Hour
Senior Scientist	\$77-88 / Hour
Staff Scientist	\$61-69 / Hour
Technician/Administrative	\$50-55 / Hour
Reimbursables	Cost + 15%
Mileage	\$0.445 / Mile

PROJECT SCHEDULE

NRC is prepared to initiate this project immediately following acceptance of a signed agreement. We will complete the landscape plan within 15 business days following approval of the conceptual design plan. If this schedule does not meet your project timeline, please contact me immediately and we will certainly arrange a project schedule that will work for you.

CONTRACT CONDITIONS

The above-stated fee and specified hourly rates proposed for this scope of work are valid for 60 days from the date of this proposal and may be subject to annual increases. A service agreement for work on this project is attached. We would be happy to discuss contract issues with you, at your request.

Mr. Mark Radtke
October 17, 2007

Channel Landscape Design Proposal
Menasha, Wisconsin

If you have any questions, or require any additional information, please call me at our Menasha office location at (920) 980-2800. We are looking forward to working with you on this project.

Sincerely,

Natural Resources Consulting, Inc.



Jon H. Guntow, PWS, PSS

Principal Wetland Scientist

Enclosure

Agreement

Natural Resources Consulting, Inc. (Consultant) will perform services according to the terms and conditions of this Agreement for City of Menasha (Client). The Consultant shall perform the services outlined in the attached proposal dated October 17, 2007, in consideration of the stated fee and payment terms. For additional services not included above, the Consultant shall be compensated according to hourly rates agreed to between Consultant and Client, or as specified in the Proposal referenced above.

Terms and Conditions

1. **Access to Site:** Unless otherwise stated, the Consultant will have access to the site for activities necessary for the performance of the services. The Consultant will take reasonable precautions to minimize damage due to these activities, but has not included in the fee the cost of restoration of any resulting damage and will not be responsible for such costs.
2. **Retainer, Billing, and Payment:** The Client agrees to pay the Consultant for all services performed and all costs incurred, as described in the Proposal attached to this Agreement. Invoices for the Consultant's services shall be submitted, at the Consultant's option, either upon completion of such services or on a monthly basis. Invoices shall be due and payable upon receipt. For any invoice is not paid within 60 days, the Consultant may, without waiving any claim or right against the Client, and without liability whatsoever to the Client, suspend or terminate the performance of services. Any retainer shall be credited on the final invoice. Accounts unpaid 30 days after the invoice date may be subject to a monthly service charge of 1.5% (or the maximum legal rate) on the unpaid balance. In the event any portion of the account remains unpaid 90 days after the billing, the Consultant may institute collection action and the Client shall pay all costs of collection, including reasonable attorney's fees.
3. **Indemnification:** The Client shall, to the fullest extent permitted by law, indemnify, defend, and hold harmless the Consultant and subconsultants from and against all damage, liability and cost, including reasonable attorney fees and defense costs, arising out of or in any way connected with the performance of the services under this Agreement, excepting only those damages, liabilities or costs attributable to the negligence or willful misconduct of the Consultant.
4. **Information for the Sole Use and Benefit of the Client:** All opinions and conclusions of the Consultant, whether written or oral, and any plans, specifications or other documents and services provided by the consultant are for the sole use and benefit of the Client and are not to be provided to any other person or entity without the prior written consent of the Consultant. Nothing contained in this Agreement shall create a contractual relationship with or a cause of action in favor of a third party against either the Consultant or the Client.
5. **Certifications, Guarantees and Warranties:** The Consultant shall not be required to execute any document that would result in the Consultant certifying, guaranteeing or warranting the existence of any conditions. The Consultant will render services and opinions according to the standards of practice of consulting professional engineering.
6. **Limitation of Liability:** In recognition of the relative risks, rewards and benefits of the project to both the Client and the Consultant, the risks have been allocated such that the Client agrees that, to the fullest extent permitted by law, the Consultant's total liability to the Client for any and all injuries, damages, claims, losses or expenses arising out of this Agreement from any cause or causes, shall not exceed the contract value. Such causes include, but are not limited to, Consultant's negligence, errors, omissions, strict liability, breach of contract or breach of warranty.
7. **Use of Documents:** All documents produced by the Consultant under this Agreement are instruments of the Consultant's professional service for use in the project for which the Consultant was retained. These documents may not be used by the Client for any other purpose without the prior written consent of the Consultant.

8. **Dispute Resolution:** Any claims or disputes between the Client and the Consultant arising out of the services to be provided by the Consultant or out of this Agreement shall be resolved by following a three-step process: (1) project managers resolution; which if not successful will be followed by (2) mediation; then (3) arbitration in event that mediation is not successful. If the parties are unable to agree upon an arbitrator, the parties shall apply to a Dane County, Wisconsin circuit court who shall appoint an arbitrator. The arbitrator shall use the then-current American Arbitration Association Construction Industry Rules for arbitration.
9. **Termination of Services:** This Agreement may be terminated at any time by either party should the other party fail to perform its obligations hereunder. In the event of termination for any reason whatsoever, the Client shall pay the Consultant for all services rendered to the date of termination, and all reimbursable expenses incurred prior to termination and reasonable termination expenses incurred as the result of termination.
10. **Severability:** Any term or provision of this Agreement found to be invalid under any applicable statute or rule of law be deemed omitted and the remainder of this Agreement shall remain in full force and effect.
11. **Survival:** Notwithstanding completion or termination of this Agreement for any reason, all rights, duties and obligations of the parties to this Agreement shall survive such completion or termination and remain in full force and effect until fulfilled.

The above Agreement, Terms and Conditions, and referenced Proposal scope of work and fees are agreed upon:

Consultant:  _____

Date: October 17, 2007

Jon H. Gumtow, Principal Scientist
Natural Resources Consulting, Inc.
P.O. Box 128, Cottage Grove, WI 53527-0128

Client: _____

Date: _____

Client Name (Printed): _____

Client Address: _____



MEMO

TO: Personnel Committee

FROM: Jeff Brandt JSB

SUBJECT: ID Badge Policy

DATE: November 15, 2007

The first item on the Personnel Committee agenda is a recommendation from the Safety Committee that employees have and wear ID badges. It is recommended that you approve the policy. Pictures have been taken of all affected employees and the IDs will be distributed as soon as the Common Council adopts the policy.

There are several groups of employees who object to this policy. In balancing their privacy concerns with the benefit to employees and the public, the Safety Committee believes the policy is appropriate. Many municipalities and Counties have a similar policy in place. Please contact me or Sue Nett for any questions.

Identification Badge Policy

The purpose of this policy is to protect City employees and building visitors by ensuring the proper usage of identification badges. Employee identification badges will be issued by the records clerk at the police department to the appropriate department head who in turn will issue the ID badge to the employee. The employee receiving the identification badge will sign a form, indicating that they have received the ID, and will assume full responsibility for the proper use of it (this form will be provided and will require a signature at the time of issue). Department Heads or their designee(s) are the only employees with authorization to request an identification badge. Lost identification badges are to be reported immediately to the employee's supervisor. Identification badges are to be returned to the department head when no longer an employee of the city.

The identification badges will be a plastic card (the size of a credit card) that identifies the employee to whom it was assigned, and will include a photograph of the employee, their first name, department, and city of Menasha logo. The identification badges are to be worn and displayed at all times by employees when on duty except for those employees where the wearing of the identification badge would pose a safety threat. Employees in those departments where a safety threat would exist, will be required to carry their employee ID on themselves in a pocket.

The police department has specific departmental badges which will be issued and monitored by that department.

NON-EMPLOYEES

Vendors, visitors, and volunteers working in municipal buildings will be given a vendor/visitor/volunteer identification badge by the department head or designee responsible for the work area.

ACKNOWLEDGEMENT OF RECEIPT OF CITY ISSUED IDENTIFICATION CARDS

I _____, hereby acknowledge receipt
Print Name

of a City of Menasha identification badge. I acknowledge my identification badge must be displayed at all times during working hours, unless I work in a department where displaying it would pose a threat to safety, whereby I would then have it on me.

I further agree that if I lose my identification badge, I will immediately report the lost badge to my supervisor and request a replacement.

Name

Department

Date



MEMO

TO: Personnel Committee

FROM: Jeff Brandt JSB

SUBJECT: 2008 Salary Increases

DATE: November 15, 2007

The budget includes pay increases for non-represented employees and Supervisory Lieutenants at 2% on April 1, 2008 and 2% on October 1, 2009. This has a budgetary impact for 2008 of 2%. Although this continues the trend that Union wage increases surpass salary increases for non-represented employees, it is recommended that the Personnel Committee recommend to the Common Council to approve this adjustment.

I have attached a spreadsheet showing a comparison between approved increases for Union employees compared with non-represented employees. Between 1995 and 2003, the increase was roughly the same. Since then, Union increases have been 14.75% while non-rep increases have been 9%. Please contact me for any questions.

Year		Police	1035	1035-B		Non-Reps
2008	1/1 7/1	2.5% 1.5%	2.5% 1.5%	2.5% 1.5%		
2007	1/1 7/1	2.0% 1.0%	2.0% 1.0%	2.0% 1.0%	1/1 9/1	1.5% 1.5%
2006	1/1	3.0%	3.0%	3.0%		3.0%
2005	1/1	3.0%	3.0%	3.0%	1/1 9/1	1.5% 1.5%
2004	1/1	3.0%	3.0%	3.0%	1/1 9/1	1.5% 1.5%
2003	1/1 7/1	3.0%	2.0% 2.0%	2.0% 2.0%		3.0%
2002	1/1 7/1	3.0%	2.0% 2.0%	2.0% 2.0%		3.0%
2001	1/1	3.0%	3.0%	2.0% 2.0%		3.0%
2000	1/1	0-4% dependent on step	3.0%	3.0%		3.0%
1999	1/1	0-4% dependent on step	3.0%	3.0%		3.0%
1998	1/1	0-4% dependent on step	3.0%	3.0%		3.0%
1997	1/1 7/1	2.5% 1.0%	2.5% 1.0%	2.5% 1.0%		3.0%
1996	1/1 7/1	2.5% 1.0%	2.5% 1.0%	2.5% 1.0%		3.0%
1995	1/1 7/1	2.5% 1.0%	2.5% 1.0%	2.5% *1% *4/1		3.5%



MEMO

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FROM: Jeff Brandt JSB

SUBJECT: 2008 Salary Increases

DATE: November 15, 2007

The budget includes pay increases for non-represented employees and Supervisory Lieutenants at 2% on April 1, 2008 and 2% on October 1, 2009. This has a budgetary impact for 2008 of 2%. Although this continues the trend that Union wage increases surpass salary increases for non-represented employees, it is recommended that the Personnel Committee recommend to the Common Council to approve this adjustment.

I have attached a spreadsheet showing a comparison between approved increases for Union employees compared with non-represented employees. Between 1995 and 2003, the increase was roughly the same. Since then, Union increases have been 14.75% while non-rep increases have been 9%. Please contact me for any questions.

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2008	1/1 7/1	2.5% 1.5%	2.5% 1.5%	2.5% 1.5%		
2007	1/1 7/1	2.0% 1.0%	2.0% 1.0%	2.0% 1.0%	1/1 9/1	1.5% 1.5%
2006	1/1	3.0%	3.0%	3.0%		3.0%
2005	1/1	3.0%	3.0%	3.0%	1/1 9/1	1.5% 1.5%
2004	1/1	3.0%	3.0%	3.0%	1/1 9/1	1.5% 1.5%
2003	1/1 7/1	3.0%	2.0% 2.0%	2.0% 2.0%		3.0%
2002	1/1 7/1	3.0%	2.0% 2.0%	2.0% 2.0%		3.0%
2001	1/1	3.0%	3.0%	2.0% 2.0%		3.0%
2000	1/1	0-4% dependent on step	3.0%	3.0%		3.0%
1999	1/1	0-4% dependent on step	3.0%	3.0%		3.0%
1998	1/1	0-4% dependent on step	3.0%	3.0%		3.0%
1997	1/1 7/1	2.5% 1.0%	2.5% 1.0%	2.5% 1.0%		3.0%
1996	1/1 7/1	2.5% 1.0%	2.5% 1.0%	2.5% 1.0%		3.0%
1995	1/1 7/1	2.5% 1.0%	2.5% 1.0%	2.5% *1% *4/1		3.5%

ORDINANCE O - 39 - 07

AN ORDINANCE RELATING TO PARK REGULATIONS
(Animals in Parks)

Introduced by Alderman Wisneski

The Common Council of the City of Menasha does ordain as follows:

SECTION 1: Sec. 12 – 1 – 1(e) is created to read as follows:

- (e). Animals sponsored or owned by individuals of a petting display, pony ride, animal show, obedience school, wedding ceremony, funeral, or any other event deemed appropriate by the Parks and Recreation Board may be approved to be in parks.

SECTION 2: This ordinance shall become effective upon its passage and publication as provided by law.

Passed and approved this _____ day of _____ 2007.

Joseph F. Laux, Mayor

ATTEST:

Deborah A. Galeazzi, City Clerk

RESOLUTION R - 19 - 07

RESOLUTION INVESTIGATING THE FUTURE USE OR SALE OF PROPERTIES
AT 504 BROAD, 81 RACINE & 87 RACINE

Introduced by Alderman Hendricks

WHEREAS, the City of Menasha is the owner of properties located at 504 Broad Street, 81 Racine Street & 87 Racine Street in the City of Menasha; and

WHEREAS, the City acquired 81 Racine Street through a negotiated sale after making a Declaration of Necessity; and

WHEREAS, the City acquired 87 Racine Street by use of eminent domain under Chapter 32 of the Wisconsin Statutes; and

WHEREAS, Resolution R – 39 – 04, the Declaration of Necessity passed on December 20, 2004 established the purposes of acquiring 81 Racine Street and 87 Racine Street to enhance the appearance of a downtown entry point, establish public parking and to eliminate blight within the downtown business district; and

WHEREAS, it is in the public interest to explore uses of 504 Broad Street, 81 Racine Street, and 87 Racine Street beyond those identified in R – 39 – 04 so as to compliment the Racine street corridor from Broad street to Third street;

NOW THEREFORE, BE IT RESOLVED, that the City of Menasha Common Council with the Mayor concurring determine it to be in the best interests of the City of Menasha to explore additional uses for the properties at 504 Broad Street, 81 Racine Street and 87 Racine Street beyond those identified in R – 39 – 04; and

BE IT FURTHER RESOLVED that the Plan Commission is directed and Redevelopment Authority is requested to study all uses for these properties so as to compliment the Racine Street corridor from Broad Street to Third Street.

Passed and approved this _____ day of _____, 2007.

Joseph F. Laux, Mayor

Deborah A. Galeazzi, City Clerk

RESOLUTION R-20-07

RESOLUTION LEVYING TAXES FOR THE PURPOSE OF PAYING THE
OPERATING EXPENSES FOR THE YEAR 2008 FOR THE CITY OF MENASHA

BY THE MAYOR AND COMMON COUNCIL OF THE CITY OF MENASHA,
WISCONSIN, RESOLVED:

That for the purpose of paying the City of Menasha and Waverly Sanitary District operating expenses for the year 2008, there is hereby levied on all taxable property of the City of Menasha the amount of \$9,341,236.42 which includes \$510,296.58 in Tax Incremental Financing District Funds.

That for the purpose of paying the Menasha Joint School District and Appleton Area School District tax as certified, there is hereby levied on all taxable property of the City of Menasha the amount of \$8,197,867.33 which includes \$453,747.01 in Tax Incremental Financing District Funds.

That for the purpose of paying the Fox Valley Technical College District tax as certified, there is hereby levied on all taxable property of the City of Menasha the amount of \$1,667,310.78 which includes \$91,955.67 in Tax Incremental Financing District Funds.

That for the purpose of paying the State of Wisconsin, Winnebago County and Calumet County tax as certified, there is hereby levied on all taxable property of the City of Menasha the amount of \$5,380,152.29 which includes \$295,510.99 in Tax Incremental Financing District Funds.

AND IT IS FURTHER RESOLVED that the total of the above four levies in the amount of \$24,586,566.82 shall be the 2007 tax levy on all real and personal property in the City of Menasha.

AND IT IS FURTHER RESOLVED that a property tax mill rate for each taxing entity will be established when the assessed valuation for each taxing entity has been properly certified.

AND BE IT FURTHER RESOLVED that the City Comptroller/Treasurer be, and hereby is, authorized to prepare a tax roll for the City of Menasha for the year 2007 and spread the above stated tax and State Lottery and School Tax Credits upon said roll and the City Clerk is directed to sign a warrant for the collection of said tax.

Passed and approved this 19th day of November, 2007.

Joseph F. Laux, Mayor

ATTEST:

Deborah A. Galeazzi, City Clerk

R-21-07

RESOLUTION SUPPORTING ECO-MUNICIPALITY CONCEPTS

Introduced by Mayor Laux

WHEREAS, the City of Menasha recognizes that the people of this community desire a stable, sustainable future; and

WHEREAS, the City of Menasha acknowledges that a clean and healthy environment determines the quality of life, where the environment can support and sustain the community, and where citizens are committed to local and regional cooperation and a personal philosophy of stewardship; and

WHEREAS, the willingness of the City of Menasha to move in the direction of eco-municipality designation can serve as a model for our citizens, encouraging economic and industrial initiatives while protecting the ecosystem in which they raise their families; and

WHEREAS, by endorsing sustainable economic development, the City of Menasha is pledging to further educate itself about sustainable activities and to develop additional initiatives in support of sustainable practices; and

WHEREAS, Menasha has promoted alternative transportation methods by taking a leadership role in the Fox Cities Trestle Trail and installing bike trails that connect the Wisconsin Friendship Trail; and

WHEREAS, the redevelopment of the Gilbert Mill site has embraced principles of sustainability by reusing portions of existing buildings and reclaiming demolition materials for reuse at the site.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Menasha, Wisconsin, that the City of Menasha endorse the principles of sustainability as outlined above and that the City will endeavor to apply these principles when economically feasible to its decision-making, planning, policy making and municipal practices and the Mayor and Common Council challenge the citizens of Menasha and the private sector to promote and embrace the philosophy and principles of sustainability.

Passed and approved this _____ day of November, 2007.

Joseph F. Laux, Mayor

Attest:

Deborah A. Galeazzi, City Clerk

RESOLUTION NO. R – 22 – 07

**RESOLUTION FOR THE ADOPTION OF THE CITY OF MENASHA
OPEN SPACE AND RECREATION FACILITIES PLAN**

Introduced by Alderman Wisneski

WHEREAS, the City of Menasha has requested the development of a communitywide open space and recreation facilities plan, and

WHEREAS, the City of Menasha Parks and Recreation Board has worked closely with the East Central Wisconsin Regional Planning Commission to prepare the city's Open Space and Recreation Facilities Plan, and

WHEREAS, the City of Menasha Open Space and Recreation Facilities Plan encompasses a general outline and is a valuable tool for development of parks and recreation facilities throughout the city through the year 2011, and

WHEREAS, adoption of said plan is required for the City of Menasha to become eligible for cost sharing aid programs administered by the State of Wisconsin, now therefore,

BE IT RESOLVED BY THE MENASHA COMMON COUNCIL That the *City of Menasha Open Space and Recreation Facilities Plan* be adopted as the approved recreation plan for the city.

Passed and adopted this _____ day of _____, 2007

Joseph F. Laux, Mayor

ATTEST:

Deborah A. Galeazzi, City Clerk

Page 1 of 5

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59 A "condition affecting the Property or transaction" is defined as follows:

- 60 (a) planned or commenced public improvements which may result in special assessments or otherwise materially affect the Property
 61 or the present use of the Property;
 62 (b) completed or pending reassessment of the Property for property tax purposes;
 63 (c) government agency or court order requiring repair, alteration or correction of any existing condition;
 64 (d) any land division involving the subject Property, for which required state or local approvals had not been obtained;
 65 (e) any portion of the Property being in a 100 year floodplain, a wetland or shoreline zoning area under local, state or federal laws;
 66 (f) conditions constituting a significant health or safety hazard for occupants of Property;
 67 (g) underground or aboveground storage tanks on the Property for storage of flammable or combustible liquids including but not limited to
 68 gasoline and heating oil which are currently or which were previously located on the Property; **NOTE: Wis. Adm. Code, Chapter**
 69 **Comm 10 contains registration and operation rules for such underground and aboveground storage tanks.**
 70 (h) material violations of environmental laws or other laws or agreements regulating the use of the Property;
 71 (i) high voltage electric (100 KV or greater) or steel natural gas transmission lines located on but not directly serving the Property;
 72 (j) any portion of the Property being subject to, or in violation of, a Farmland Preservation Agreement under a County Farmland Preservation
 73 Plan or enrolled in, or in violation of, a Forest Crop, Woodland Tax, Managed Forest, Conservation Reserve or comparable program;
 74 (k) boundary disputes or material violation of fence laws (Wis. Stats. Chapter 90) which require the erection and maintenance of legal
 75 fences between adjoining properties where one or both of the properties is used and occupied for farming or grazing purposes;
 76 (l) wells on the Property required to be abandoned under state regulations (Wis. Adm. Code NR 112.26) but which are not abandoned;
 77 (m) cisterns or septic tanks on the Property which are currently not servicing the Property;
 78 (n) subsoil conditions which would significantly increase the cost of the development proposed at lines 271-272, if any, including, but not limited
 79 to, subsurface foundations, organic or non-organic fill, dumpsites or containers on Property which contained or currently contain toxic or
 80 hazardous materials, high groundwater, soil conditions (e.g. low load bearing capacity) or excessive rocks or rock formations on the Property;
 81 (o) a lack of legal vehicular access to the Property from public roads;
 82 (p) prior reimbursement for corrective action costs under the Agricultural Chemical Cleanup Program; (Wis. Stats. §94.73.)
 83 (q) other conditions or occurrences which would significantly increase the cost of the development proposed at lines 271 to 272 or
 84 reduce the value of the Property to a reasonable person with knowledge of the nature and scope of the condition or occurrence.

85 ■ **PROPERTY DIMENSIONS AND SURVEYS:** Buyer acknowledges that any land dimensions, total square footage/acreage figures,
 86 or allocation of acreage information, provided to Buyer by Seller or by a broker, may be approximate because of rounding or other
 87 reasons, unless verified by survey or other means. **CAUTION: Buyer should verify land dimensions, total square footage/acreage**
 88 **figures or allocation of acreage information if material to Buyer's decision to purchase.**

89 ■ **ISSUES RELATED TO PROPERTY DEVELOPMENT:** WARNING: If Buyer contemplates developing Property for a use other than the
 90 current use, there are a variety of issues which should be addressed to ensure the development or new use is feasible. Municipal and zoning
 91 ordinances, recorded building and use restrictions, covenants and easements may prohibit certain improvements or uses and therefore should
 92 be reviewed. Building permits, zoning variances, Architectural Control Committee approvals, estimates for utility hook-up expenses, special
 93 assessments, charges for installation of roads or utilities, environmental audits, subsoil tests, or other development related fees may need
 94 to be obtained or verified in order to determine the feasibility of development of, or a particular use for, a property. Optional contingencies
 95 which allow Buyer to investigate certain of these issues can be found at lines 271 - 314 and Buyer may add contingencies as needed in
 96 addenda (see line 188). Buyer should review any plans for development or use changes to determine what issues should be addressed
 97 in these contingencies.

98 ■ **INSPECTIONS:** Seller agrees to allow Buyer's inspectors reasonable access to the Property upon reasonable notice if the inspections
 99 are reasonably necessary to satisfy the contingencies in this Offer. Buyer agrees to promptly provide copies of all such inspection
 100 reports to Seller, and to listing broker if Property is listed. Furthermore, Buyer agrees to promptly restore the Property to its original
 101 condition after Buyer's inspections are completed, unless otherwise agreed in this Offer. An "inspection" is defined as an observation
 102 of the Property which does not include testing of the Property, other than testing for leaking LP gas or natural gas used as a fuel source,
 103 which are hereby authorized.

104 ■ **TESTING:** Except as otherwise provided, Seller's authorization for inspections does not authorize Buyer to conduct testing of the Property.
 105 A "test" is defined as the taking of samples of materials such as soils, water, air or building materials from the Property and the laboratory
 106 or other analysis of these materials. If Buyer requires testing, testing contingencies must be specifically provided for at lines 179 - 187 or
 107 in an addendum per line 188. Note: Any contingency authorizing testing should specify the areas of the Property to be tested, the purpose
 108 of the test, (e.g., to determine if environmental contamination is present), any limitations on Buyer's testing and any other material terms of
 109 the contingency (e.g., Buyer's obligation to return the Property to its original condition). Seller acknowledges that certain inspections or tests
 110 may detect environmental pollution which may be required to be reported to the Wisconsin Department of Natural Resources.

111 ■ **PRE-CLOSING INSPECTION:** At a reasonable time, pre-approved by Seller or Seller's agent, within 3 days before closing, Buyer shall
 112 have the right to inspect the Property to determine that there has been no significant change in the condition of the Property, except for
 113 changes approved by Buyer.

114 ■ **PROPERTY DAMAGE BETWEEN ACCEPTANCE AND CLOSING:** Seller shall maintain the Property until the earlier of closing or
 115 occupancy of Buyer in materially the same condition as of the date of acceptance of this Offer, except for ordinary wear and tear. If, prior
 116 to closing, the Property is damaged in an amount of not more than five percent (5%) of the selling price, Seller shall be obligated to repair
 117 the Property and restore it to the same condition that it was on the day of this Offer. If the damage shall exceed such sum, Seller shall
 118 promptly notify Buyer in writing of the damage and this Offer may be canceled at option of Buyer. Should Buyer elect to carry out this
 119 Offer despite such damage, Buyer shall be entitled to the insurance proceeds relating to the damage to the Property, plus a credit towards
 120 the purchase price equal to the amount of Seller's deductible on such policy. However, if this sale is financed by a land contract or a
 121 mortgage to Seller, the insurance proceeds shall be held in trust for the sole purpose of restoring the Property.

122 ■ **FENCES** Wisconsin Statutes section 90.03 requires the owners of adjoining properties to keep and maintain legal fences in equal
 123 shares where one or both of the properties is used and occupied for farming or grazing purposes. **CAUTION: Consider an agreement**
 124 **addressing responsibility for fences if Property or adjoining land is used and occupied for farming or grazing purposes.**

125 ■ **DELIVERY/RECEIPT** Unless otherwise stated in this Offer, any signed document transmitted by facsimile machine (fax) shall be treated
 126 in all manner and respects as an original document and the signature of any Party upon a document transmitted by fax shall be considered
 127 an original signature. Personal delivery to, or actual receipt by, any named Buyer or Seller constitutes personal delivery to, or actual receipt
 128 by Buyer or Seller. Once received, a notice cannot be withdrawn by the Party delivering the notice without the consent of the Party receiving
 129 the notice. A Party may not unilaterally reinstate a contingency after a notice of a contingency waiver has been received by the other Party.

130 The delivery provisions in this Offer may be modified when appropriate (e.g., when mail delivery is not desirable (see lines 25 - 36)).
 131 Buyer and Seller authorize the agents of Buyer and Seller to distribute copies of the Offer to Buyer's lender, appraisers, title insurance companies
 132 and any other settlement service providers for the transaction as defined by the Real Estate Settlement Procedures Act (RESPA).

133 PROPERTY ADDRESS: 81 Racine St. & 504 Broad St, Menasha, WI [page 3 of 5, WB-13]

134 **TIME IS OF THE ESSENCE** "Time is of the Essence" as to: (1) earnest money payment(s); (2) binding acceptance; (3) occupancy; (4)

135 date of closing; (5) contingency deadlines **STRIKE AS APPLICABLE** and all other dates and deadlines in this Offer except: -----

136 ----- If "Time is of the Essence" applies to a date or deadline, failure to perform by the exact date or deadline is a breach of contract. If "Time is of the Essence" does

137 not apply to a date or deadline, then performance within a reasonable time of the date or deadline is allowed before a breach occurs.

139 **DATES AND DEADLINES** Deadlines expressed as a number of "days" from an event, such as acceptance, are calculated by excluding

140 the day the event occurred and by counting subsequent calendar days. The deadline expires at midnight on the last day. Deadlines

141 expressed as a specific number of "business days" exclude Saturdays, Sundays, any legal public holiday under Wisconsin or Federal

142 law, and other day designated by the President such that the postal service does not receive registered mail or make regular deliveries

143 on that day. Deadlines expressed as a specific number of "hours" from the occurrence of an event, such as receipt of a notice, are

144 calculated from the exact time of the event, and by counting 24 hours per calendar day. Deadlines expressed as a specific day of the

145 calendar year or as the day of a specific event, such as closing, expire at midnight of that day.

146 **THE FINANCING CONTINGENCY PROVISIONS AT LINES 148 - 162 ARE A PART OF THIS OFFER IF LINE 148 IS MARKED,**

147 **SUCH AS WITH AN "X". THEY ARE NOT PART OF THIS OFFER IF LINE 148 IS MARKED N/A OR IS NOT MARKED.**

148 ☐ **FINANCING CONTINGENCY:** This Offer is contingent upon Buyer being able to obtain a

149 **INSERT LOAN PROGRAM OR SOURCE** first mortgage loan commitment as described below, within _____ days of acceptance of this

150 Offer. The financing selected shall be in an amount of not less than \$ _____ for a term of not less than _____ years,

151 amortized over not less than _____ years. Initial monthly payments of principal and interest shall not exceed \$ _____.

152 Monthly payments may also include 1/12th of the estimated net annual real estate taxes, hazard insurance premiums, and private

153 mortgage insurance premiums. The mortgage may not include a prepayment premium. Buyer agrees to pay a loan fee not to exceed

154 _____ % of the loan. (Loan fee refers to discount points and/or loan origination fee, but DOES NOT include Buyer's other closing

155 costs.) If the purchase price under this Offer is modified, the financed amount, unless otherwise provided, shall be adjusted

156 to the same percentage of the purchase price as in this contingency and the monthly payments shall be adjusted as necessary to maintain

157 the term and amortization stated above. **CHECK AND COMPLETE APPLICABLE FINANCING PROVISION AT LINE 158 OR 159.**

158 ☐ **FIXED RATE FINANCING:** The annual rate of interest shall not exceed _____ %.

159 ☐ **ADJUSTABLE RATE FINANCING:** The initial annual interest rate shall not exceed _____ %. The initial interest rate shall

160 be fixed for _____ months, at which time the interest rate may be increased not more than _____ % per year. The maximum

161 interest rate during the mortgage term shall not exceed _____ %. Monthly payments of principal and interest may be adjusted

162 to reflect interest changes.

163 **LOAN COMMITMENT:** Buyer agrees to pay all customary financing costs (including closing fees), to apply for financing promptly, and

164 to provide evidence of application promptly upon request by Seller. If Buyer qualifies for the financing described in this Offer or other

165 financing acceptable to Buyer, Buyer agrees to deliver to Seller a copy of the written loan commitment no later than the deadline for loan

166 commitment at line 149. **Buyer's delivery of a copy of any written loan commitment to Seller (even if subject to conditions) shall**

167 **satisfy the Buyer's financing contingency unless accompanied by a notice of unacceptability. CAUTION: BUYER, BUYER'S LENDER**

168 **AND AGENTS OF BUYER OR SELLER SHOULD NOT DELIVER A LOAN COMMITMENT TO SELLER WITHOUT BUYER'S PRIOR**

169 **APPROVAL OR UNLESS ACCOMPANIED BY A NOTICE OF UNACCEPTABILITY.**

170 **SELLER TERMINATION RIGHTS:** If Buyer does not make timely delivery of said commitment, Seller may terminate this Offer if Seller

171 delivers a written notice of termination to Buyer prior to Seller's actual receipt of a copy of Buyer's written loan commitment.

172 **FINANCING UNAVAILABILITY:** If financing is not available on the terms stated in this Offer (and Buyer has not already delivered an

173 acceptable loan commitment for other financing to Seller), Buyer shall promptly deliver written notice to Seller of same including copies

174 of lender(s)' rejection letter(s) or other evidence of unavailability. Unless a specific loan source is named in this Offer Seller shall then

175 have 10 days to give Buyer written notice of Seller's decision to finance this transaction on the same terms set forth in this Offer and this

176 Offer shall remain in full force and effect, with the time for closing extended accordingly. If Seller's notice is not timely given, this Offer shall

177 be null and void. Buyer authorizes Seller to obtain any credit information reasonably appropriate to determine Buyer's credit worthiness

178 for Seller financing.

179 **ADDITIONAL PROVISIONS/CONTINGENCIES** _____

180 _____

181 _____

182 _____

183 _____

184 _____

185 _____

186 _____

187 _____

188 ☐ **ADDENDA:** The attached _____ **Addendum A, Exhibit A** _____ is/are made part of this Offer.

189 **TITLE EVIDENCE**

190 **CONVEYANCE OF TITLE:** Upon payment of the purchase price, Seller shall convey the Property by warranty deed (or other

191 conveyance as provided herein) free and clear of all liens and encumbrances, except: municipal and zoning ordinances and

192 agreements entered under them, recorded easements for the distribution of utility and municipal services, recorded building and use

193 restrictions and covenants, general taxes levied in the year of closing and -----

194 -----

195 ----- (provided none of the foregoing prohibit present use of the Property), which constitutes merchantable title

196 for purposes of this transaction. Seller further agrees to complete and execute the documents necessary to record the conveyance.

197 ■ **FORM OF TITLE EVIDENCE:** Seller shall give evidence of title in the form of an owner's policy of title insurance in the amount of the
 198 purchase price on a current ALTA form issued by an insurer licensed to write title insurance in Wisconsin. **CAUTION: IF TITLE**
 199 **EVIDENCE WILL BE GIVEN BY ABSTRACT, STRIKE TITLE INSURANCE PROVISIONS AND INSERT ABSTRACT PROVISIONS.**

200 ■ **PROVISION OF MERCHANTABLE TITLE:** Seller shall pay all costs of providing title evidence. For purposes of closing, title evidence
 201 shall be acceptable if the commitment for the required title insurance is delivered to Buyer's attorney or Buyer not less than 3 business
 202 days before closing, showing title to the Property as of a date no more than 15 days before delivery of such title evidence to be
 203 merchantable, subject only to liens which will be paid out of the proceeds of closing and standard title insurance requirements and
 204 exceptions, as appropriate. **CAUTION: BUYER SHOULD CONSIDER UPDATING THE EFFECTIVE DATE OF THE TITLE**
 205 **COMMITMENT PRIOR TO CLOSING OR A "GAP ENDORSEMENT" WHICH WOULD INSURE OVER LIENS FILED BETWEEN THE**
 206 **EFFECTIVE DATE OF THE COMMITMENT AND THE DATE THE DEED IS RECORDED.**

207 ■ **TITLE ACCEPTABLE FOR CLOSING:** If title is not acceptable for closing, Buyer shall notify Seller in writing of objections to title by
 208 the time set for closing. In such event, Seller shall have a reasonable time, but not exceeding 15 days, to remove the objections, and
 209 the time for closing shall be extended as necessary for this purpose. In the event that Seller is unable to remove said objections, Buyer
 210 shall have 5 days from receipt of notice thereof, to deliver written notice waiving the objections, and the time for closing shall be extended
 211 accordingly. If Buyer does not waive the objections, this Offer shall be null and void. Providing title evidence acceptable for closing does
 212 not extinguish Seller's obligations to give merchantable title to Buyer.

213 ■ **SPECIAL ASSESSMENTS:** Special assessments, if any, for work actually commenced or levied prior to date of this Offer shall be
 214 paid by Seller no later than closing. All other special assessments shall be paid by Buyer. **CAUTION: Consider a special agreement**
 215 **if area assessments, property owner's association assessments or other expenses are contemplated.** "Other expenses" are one-
 216 time charges or ongoing use fees for public improvements (other than those resulting in special assessments) relating to curb, gutter,
 217 street, sidewalk, sanitary and stormwater and storm sewer (including all sewer mains and hook-up and interceptor charges), parks, street
 218 lighting and street trees, and impact fees for other public facilities, as defined in Wis. Stat. § 66.55(1)(c) & (f).

219 **ENTIRE CONTRACT** This Offer, including any amendments to it, contains the entire agreement of the Buyer and Seller regarding the
 220 transaction. All prior negotiations and discussions have been merged into this Offer. This agreement binds and inures to the benefit of
 221 the Parties to this Offer and their successors in interest.

222 **DEFAULT**

223 Seller and Buyer each have the legal duty to use good faith and due diligence in completing the terms and conditions of this Offer. A
 224 material failure to perform any obligation under this Offer is a default which may subject the defaulting party to liability for damages or
 225 other legal remedies.

226 If Buyer defaults, Seller may:
 227 (1) sue for specific performance and request the earnest money as partial payment of the purchase price; or
 228 (2) terminate the Offer and have the option to: (a) request the earnest money as liquidated damages; or (b) direct Broker to return
 229 the earnest money and have the option to sue for actual damages.

230 If Seller defaults, Buyer may:
 231 (1) sue for specific performance; or
 232 (2) terminate the Offer and request the return of the earnest money, sue for actual damages, or both.

233 In addition, the Parties may seek any other remedies available in law or equity.

234 The Parties understand that the availability of any judicial remedy will depend upon the circumstances of the situation and the
 235 discretion of the courts. If either Party defaults, the Parties may renegotiate the Offer or seek nonjudicial dispute resolution instead of
 236 the remedies outlined above. By agreeing to binding arbitration, the Parties may lose the right to litigate in a court of law those disputes
 237 covered by the arbitration agreement.

238 **NOTE: IF ACCEPTED, THIS OFFER CAN CREATE A LEGALLY ENFORCEABLE CONTRACT. BOTH PARTIES SHOULD READ**
 239 **THIS DOCUMENT CAREFULLY. BROKERS MAY PROVIDE A GENERAL EXPLANATION OF THE PROVISIONS OF THE OFFER BUT**
 240 **ARE PROHIBITED BY LAW FROM GIVING ADVICE OR OPINIONS CONCERNING YOUR LEGAL RIGHTS UNDER THIS OFFER OR**
 241 **HOW TITLE SHOULD BE TAKEN AT CLOSING. AN ATTORNEY SHOULD BE CONSULTED IF LEGAL ADVICE IS NEEDED.**

242 **EARNEST MONEY**

243 ■ **HELD BY:** Unless otherwise agreed, earnest money shall be paid to and held in the trust account of the listing broker (buyer's agent
 244 if Property is not listed or seller if no broker is involved), until applied to purchase price or otherwise disbursed as provided in the Offer.
 245 **CAUTION: Should persons other than a broker hold earnest money, an escrow agreement should be drafted by the Parties**
 246 **or an attorney. If someone other than Buyer makes payment of earnest money, consider a special disbursement agreement.**

247 ■ **DISBURSEMENT:** If negotiations do not result in an accepted offer, the earnest money shall be promptly disbursed (after clearance
 248 from payor's depository institution if earnest money is paid by check) to the person(s) who paid the earnest money. At closing, earnest
 249 money shall be disbursed according to the closing statement. If this Offer does not close, the earnest money shall be disbursed according
 250 to a written disbursement agreement signed by all Parties to this Offer (Note: Wis. Adm. Code § RL 18.09(1)(b) provides that an offer
 251 to purchase is not a written disbursement agreement pursuant to which the broker may disburse). If said disbursement agreement has
 252 not been delivered to broker within 60 days after the date set for closing, broker may disburse the earnest money: (1) as directed by
 253 an attorney who has reviewed the transaction and does not represent Buyer or Seller; (2) into a court hearing a lawsuit involving the
 254 earnest money and all Parties to this Offer; (3) as directed by court order; or (4) any other disbursement required or allowed by law.

255 Broker may retain legal services to direct disbursement per (1) or to file an interpleader action per (2) and broker may deduct from the
 256 earnest money any costs and reasonable attorneys fees, not to exceed \$250, prior to disbursement.

257 ■ **LEGAL RIGHTS/ACTION:** Broker's disbursement of earnest money does not determine the legal rights of the Parties in relation to this
 258 Offer. Buyer's or Seller's legal right to earnest money cannot be determined by broker. At least 30 days prior to disbursement per (1)
 259 or (4) above, broker shall send Buyer and Seller notice of the disbursement by certified mail. If Buyer or Seller disagree with broker's
 260 proposed disbursement, a lawsuit may be filed to obtain a court order regarding disbursement. Small Claims Court has jurisdiction over
 261 all earnest money disputes arising out of the sale of residential property with 1-4 dwelling units and certain other earnest money disputes.
 262 Buyer and Seller should consider consulting attorneys regarding their legal rights under this Offer in case of a dispute. Both Parties
 263 agree to hold the broker harmless from any liability for good faith disbursement of earnest money in accordance with this Offer or
 264 applicable Department of Regulation and Licensing regulations concerning earnest money. See Wis. Adm. Code Ch. RL 18. **NOTE:**
 265 **WISCONSIN LICENSE LAW PROHIBITS A BROKER FROM GIVING ADVICE OR OPINIONS CONCERNING THE LEGAL RIGHTS**
 266 **OR OBLIGATIONS OF PARTIES TO A TRANSACTION OR THE LEGAL EFFECT OF A SPECIFIC CONTRACT OR CONVEYANCE.**
 267 **AN ATTORNEY SHOULD BE CONSULTED IF LEGAL ADVICE IS REQUIRED.**

269 **OPTIONAL PROVISIONS: THE PARAGRAPHS AT LINES 271 - 314 WHICH ARE PRECEDED BY A BOX ARE A PART OF THIS OFFER IF**
 270 **MARKED, SUCH AS WITH AN "X". THEY ARE NOT PART OF THIS OFFER IF MARKED N/A OR ARE LEFT BLANK.**

271 ☒ **PROPOSED USE CONTINGENCY:** Buyer is purchasing the property for the purpose of: _____
 272 _____ This Offer is contingent upon Buyer obtaining the following:

273 ☐ Written evidence at (Buyer's) (Seller's) ~~STRIKE ONE~~ expense from a qualified soils expert that the Property is free of any subsoil
 274 condition which would make the proposed development impossible or significantly increase the costs of such development.

275 ☐ Written evidence at (Buyer's) (Seller's) ~~STRIKE ONE~~ expense from a certified soils tester or other qualified expert that indicates that
 276 the Property's soils at locations selected by Buyer and all other conditions which must be approved to obtain a permit for an acceptable private
 277 septic system for: _____ [insert proposed use of Property; e.g., three

278 bedroom single family home] meet applicable codes in effect as of the date of this offer. An acceptable system includes all systems approved
 279 for use by the State for the type of property identified at line 277. An acceptable system does not include a holding tank, privy, composting
 280 toilet or chemical toilet or other systems (e.g. mound system) excluded in additional provisions or an addendum per lines 179 - 188.

281 ☐ Copies at (Buyer's) (Seller's) ~~STRIKE ONE~~ expense of all public and private easements, covenants and restrictions affecting the
 282 Property and a written determination by a qualified independent third party that none of these prohibit or significantly delay or increase
 283 the costs of the proposed use or development identified at lines 271 to 272.

284 ☐ Permits, approvals and licenses, as appropriate, or the final discretionary action by the granting authority prior to the issuance
 285 of such permits, approvals and licenses at (Buyer's) (Seller's) ~~STRIKE ONE~~ expense for the following items related to the proposed
 286 development _____

287 ☐ Written evidence at (Buyer's) (Seller's) ~~STRIKE ONE~~ expense that the following utility connections are located as follows (e.g.,
 288 on the Property, at the lot line across the street, etc.): electricity _____; gas _____; sewer
 289 _____; water _____; telephone _____; other _____

290 This proposed use contingency shall be deemed satisfied unless Buyer within _____ days of acceptance delivers
 291 written notice to Seller specifying those items of this contingency which cannot be satisfied and written evidence substantiating why each
 292 specific item included in Buyer's notice cannot be satisfied.

293 ☐ **MAP OF THE PROPERTY:** This Offer is contingent upon (Buyer obtaining) (Seller providing) ~~STRIKE ONE~~ a map of the Property prepared
 294 by a registered land surveyor, within _____ days of acceptance, at (Buyer's) (Seller's) ~~STRIKE ONE~~ expense. The map shall identify the legal
 295 description of the Property, the Property's boundaries and dimensions, visible encroachments upon the Property, the location of improvements,
 296 if any, and: _____

297 _____ ~~STRIKE AND COMPLETE AS APPLICABLE~~ Additional map features
 298 which may be added include, but are not limited to: specifying how current the map must be; staking of all corners of the Property; identifying
 299 dedicated and apparent street, lot dimensions, total acreage or square footage, easements or rights-of-way. **CAUTION: Consider the cost**
 300 **and the need for map features before selecting them.** The map shall show no significant encroachment(s) or any information materially
 301 inconsistent with any prior representations to Buyer. This contingency shall be deemed satisfied unless Buyer, within five days of the earlier
 302 of: 1) Buyer's receipt of the map, or 2) the deadline for delivery of said map, delivers to Seller, and to listing broker if Property is listed, a copy
 303 of the map and a written notice which identifies the significant encroachment or the information materially inconsistent with prior representations.

304 ☐ **INSPECTION CONTINGENCY:** This Offer is contingent upon a qualified independent inspector(s) conducting an inspection(s), at
 305 Buyer's expense, of the Property and _____

306 _____ which discloses no defects as defined below. This contingency shall be deemed satisfied
 307 unless Buyer within _____ days of acceptance delivers to Seller, and to listing broker if Property is listed, a copy of the inspector's
 308 written inspection report and a written notice listing the defects identified in the report to which Buyer objects. This Offer shall be null and
 309 void upon timely delivery of the above notice and report. **CAUTION: A proposed amendment will not satisfy this notice requirement.**
 310 Buyer shall order the inspection and be responsible for all costs of inspection, including any inspections required by lender or follow-up to
 311 inspection. Note: This contingency only authorizes inspections, not testing, see lines 98 to 110. For the purposes of this contingency a defect
 312 is defined as any condition of the Property which constitutes a significant threat to the health or safety of persons who occupy or use the
 313 Property or gives evidence of any material use, storage or disposal of hazardous or toxic substances on the Property. Defects do not include
 314 conditions the nature and extent of which Buyer had actual knowledge or written notice before signing this Offer.

315 This Offer was drafted on 10/24/2007 [date] by [Licensee and Firm] Jason G. Gallmeier Bomier Properties, Inc.

316 (X) _____
 317 Buyer's Signature ▲ Print Name Here: Dr. Vernon A Larsen Social Security No. or FEIN ▲ Date ▲ 10/25/07

318 (X) _____
 319 Buyer's Signature ▲ Print Name Here: _____ Social Security No. or FEIN ▲ Date ▲

320 **EARNEST MONEY RECEIPT** Broker acknowledges receipt of earnest money as per line 8 of the above Offer. (See lines 242 - 267)

321 _____ Broker (By)
 322 **SELLER ACCEPTS THIS OFFER. THE WARRANTIES, REPRESENTATIONS AND COVENANTS MADE IN THIS OFFER SURVIVE CLOSING AND**
 323 **THE CONVEYANCE OF THE PROPERTY. SELLER AGREES TO CONVEY THE PROPERTY ON THE TERMS AND CONDITIONS AS SET FORTH**
 324 **HEREIN AND ACKNOWLEDGES RECEIPT OF A COPY OF THIS OFFER.**

325 (X) _____
 326 Seller's Signature ▲ Print Name Here: City of Menasha Social Security No. or FEIN ▲ Date ▲

327 (X) _____
 328 Seller's Signature ▲ Print Name Here: _____ Social Security No. or FEIN ▲ Date ▲

329 This Offer was presented to Seller by Jason Gallmeier on 10/25/07, at 3:30 a.m./p.m.

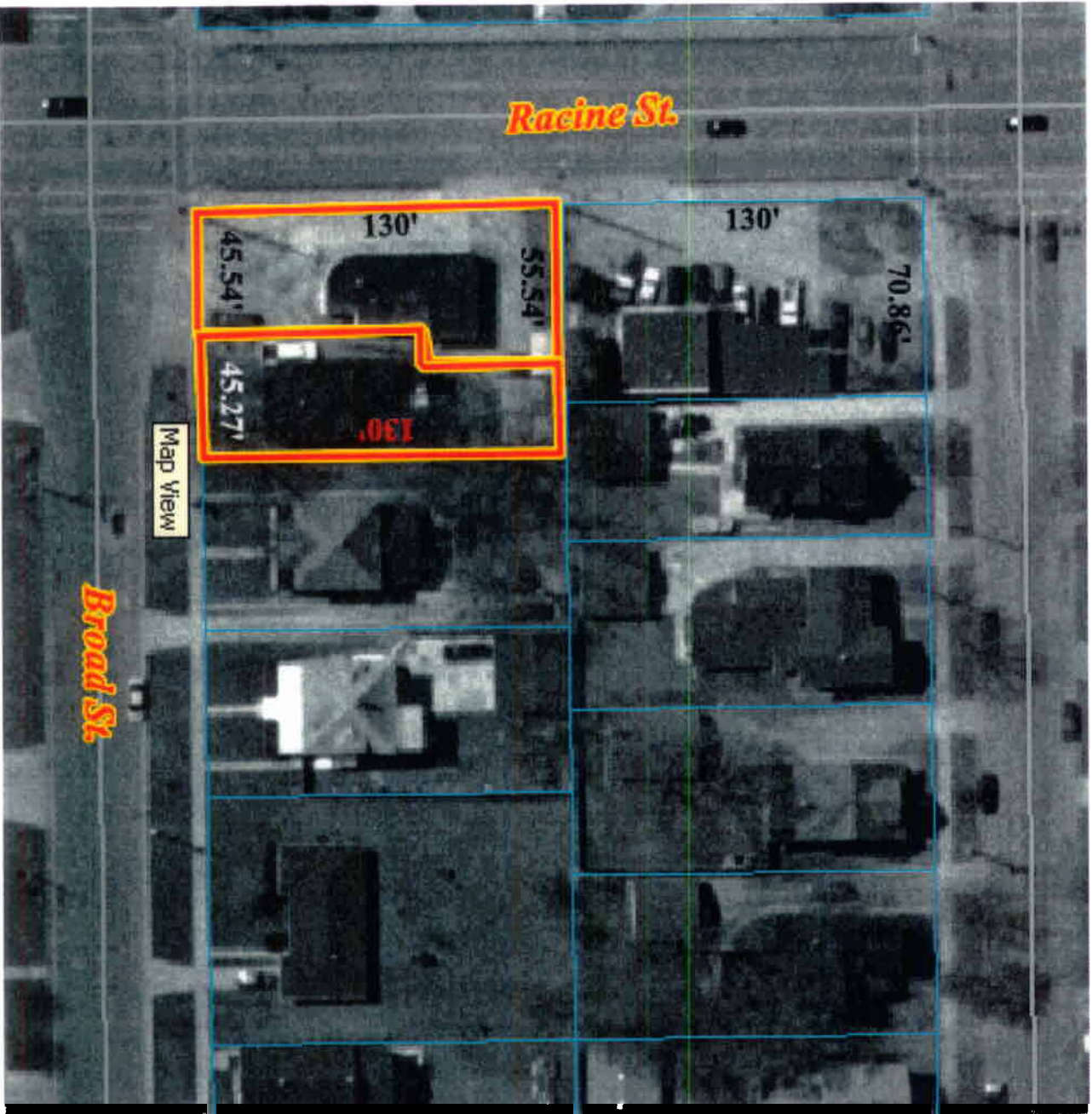
330 **THIS OFFER IS REJECTED** _____ **THIS OFFER IS COUNTERED** [See attached counter] _____
 331 Seller Initials ▲ Date ▲ Seller Initials ▲ Date ▲

**ADDENDUM A
TO OFFER TO PURCHASE FOR
81 Racine St. & 504 Broad St.
City of Menasha
October 24, 2007**

The following terms and conditions shall be deemed to be a part of the foregoing attached Offer to Purchase dated October 24, 2007 ("Offer") by Dr. Vernon A. Larsen for the real estate described in the Offer ("Property").

1. This Offer is not subject to the sale of other property or financing; cash at closing.
2. Buyer agrees to allow seller an easement across the property for the use of a trail and landscaping to be constructed and maintained by Seller. Seller shall have the right to come on to the property after closing to construct and maintain said trail and landscaping.
3. Buyer is purchasing the property for the purpose of private parking only.
4. Seller agrees to surrender all previous environmental tests or audits results pertaining to this parcel to Buyer within 5 days after acceptance of this Offer. Seller acknowledges to Buyer that they have no knowledge of any underground storage tanks or any other contaminants that may be on the property. This Offer is subject to Buyer, at Buyer's expense, within 15 days from acceptance, conducting any environmental test or audits of any nature, which Buyer may elect to carry out on the property. If, for any reason, said tests or audits indicate any unsatisfactory condition, Buyer shall serve written notice on Seller to that effect within 21 days of acceptance; and this Offer shall become null and void, and all earnest money shall be returned to Buyer. Should Buyer fail to serve said written notice, Seller shall deem this contingency waived.
5. Buyer has relied upon its own examination, investigation and inspection of the property and the environmental conditions relating hereto, and Buyer agrees to take the same "AS IS" and "WITH ALL FAULTS" in its present condition without warranty or representation expressed or implied by the Seller or any agent, employee or representative of Seller. If, for any reason, Buyer is unsatisfied with the condition of said real estate, Buyer shall serve written notice on Seller to that effect within 15 days of acceptance; and this Offer shall become null and void, and all earnest money shall be returned to Buyer. Should buyer fail to serve written notice within 15 days of acceptance, Seller shall deem this contingency waived.
6. Buyer and Seller acknowledge facsimiles of the Offer to Purchase and/or all Attachments in the form of a fax and/or e-mail transmission signed or fully executed shall be deemed as an original document.

Exhibit A





Memorandum

To: Administration Committee
From: Greg Keil, CDD
Date: November 1, 2007
RE: Health Department Relocation

Ald. Taylor requested that the above-referenced item be placed on the Administration Committee agenda.

The Wreath Factory/Otter Creek Outdoor, has made inquiry concerning the acquisition of the Health Department to enable the expansion of their business. In response to their request, city staff has been exploring the availability/suitability of office space within the city for possible relocation of the Health Department. The properties that have been given consideration to date include:

- 542/546 Third Street (NW corner of Appleton St. and Third St.)
- 990 Plank Road (former Dr. Pilon office)
- 217 Washington Street (former Oscar Insurance office)
- 1165 Appleton Road (former Marathon Engineering office)
- 138 Main Street (space to be vacated by East Central Wis. RPC)
- 921 Midway Road (FISC office to be relocated)
- 222 Washington Street (former clinic)
- 1800 Appleton Road (Goodwill campus, United Way space to be vacated)
- 728 Sheboygan Street (former Central Products Corp. office)
- 628 Fifth Street (St. Johns Elementary School)
- 1 Main Street (Brin Building)
- 430 Ahnaip Street (former Gilbert Paper office lower level)

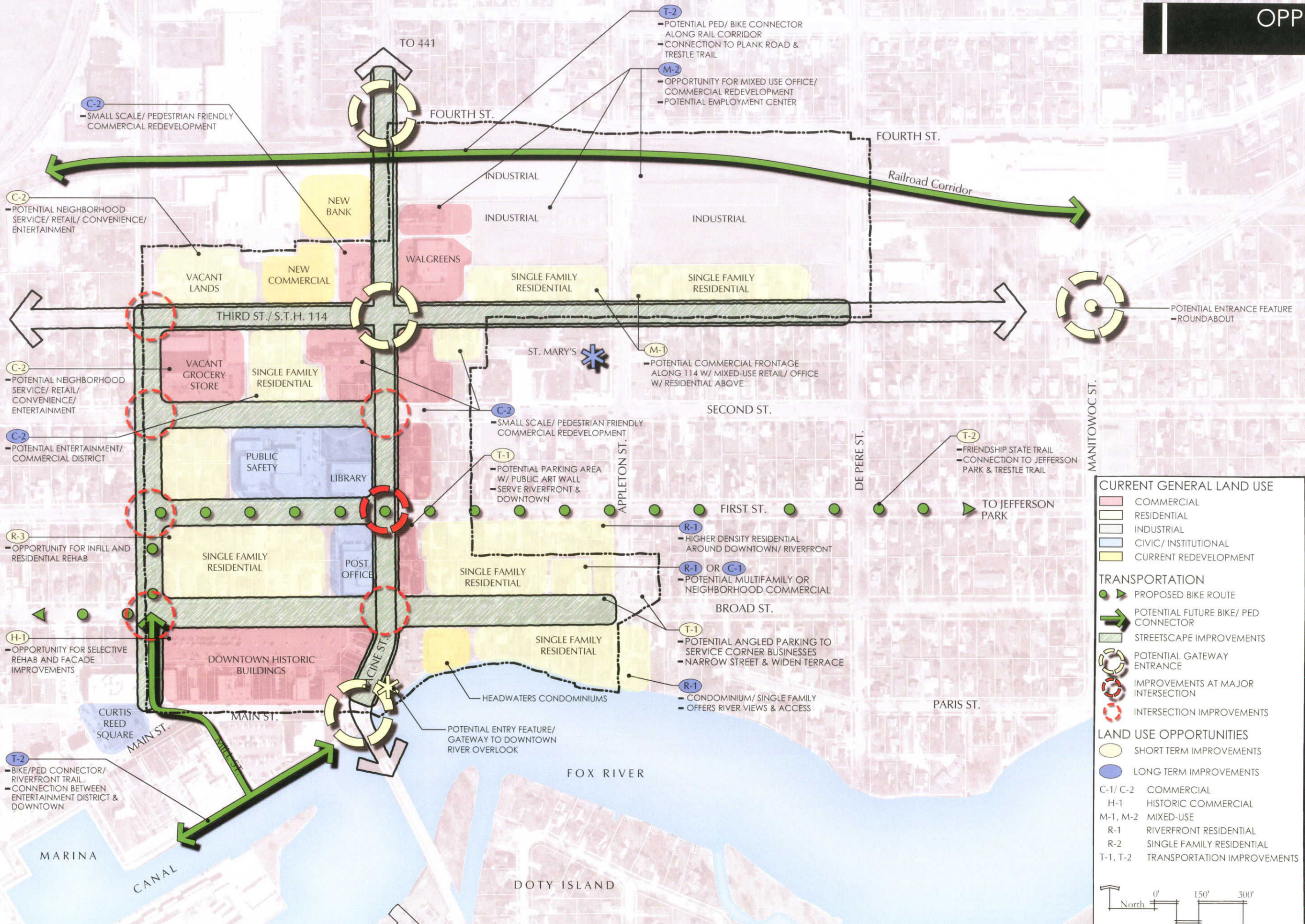
We are hoping to have a viable proposal to present to the Common Council in the next several weeks.

OPPORTUNITIES
ANALYSIS

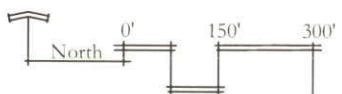
Map 1



City of Menasha
Wisconsin



- CURRENT GENERAL LAND USE**
- COMMERCIAL
 - RESIDENTIAL
 - INDUSTRIAL
 - CIVIC/ INSTITUTIONAL
 - CURRENT REDEVELOPMENT
- TRANSPORTATION**
- PROPOSED BIKE ROUTE
 - POTENTIAL FUTURE BIKE/ PED CONNECTOR
 - STREETScape IMPROVEMENTS
 - POTENTIAL GATEWAY ENTRANCE
 - IMPROVEMENTS AT MAJOR INTERSECTION
 - INTERSECTION IMPROVEMENTS
- LAND USE OPPORTUNITIES**
- SHORT TERM IMPROVEMENTS
 - LONG TERM IMPROVEMENTS
- Legend:**
- C-1/ C-2 COMMERCIAL
 - H-1 HISTORIC COMMERCIAL
 - M-1, M-2 MIXED-USE
 - R-1 RIVERFRONT RESIDENTIAL
 - R-2 SINGLE FAMILY RESIDENTIAL
 - T-1, T-2 TRANSPORTATION IMPROVEMENTS



-DRAFT-
THIRD STREET
and
RACINE STREET
CORRIDOR



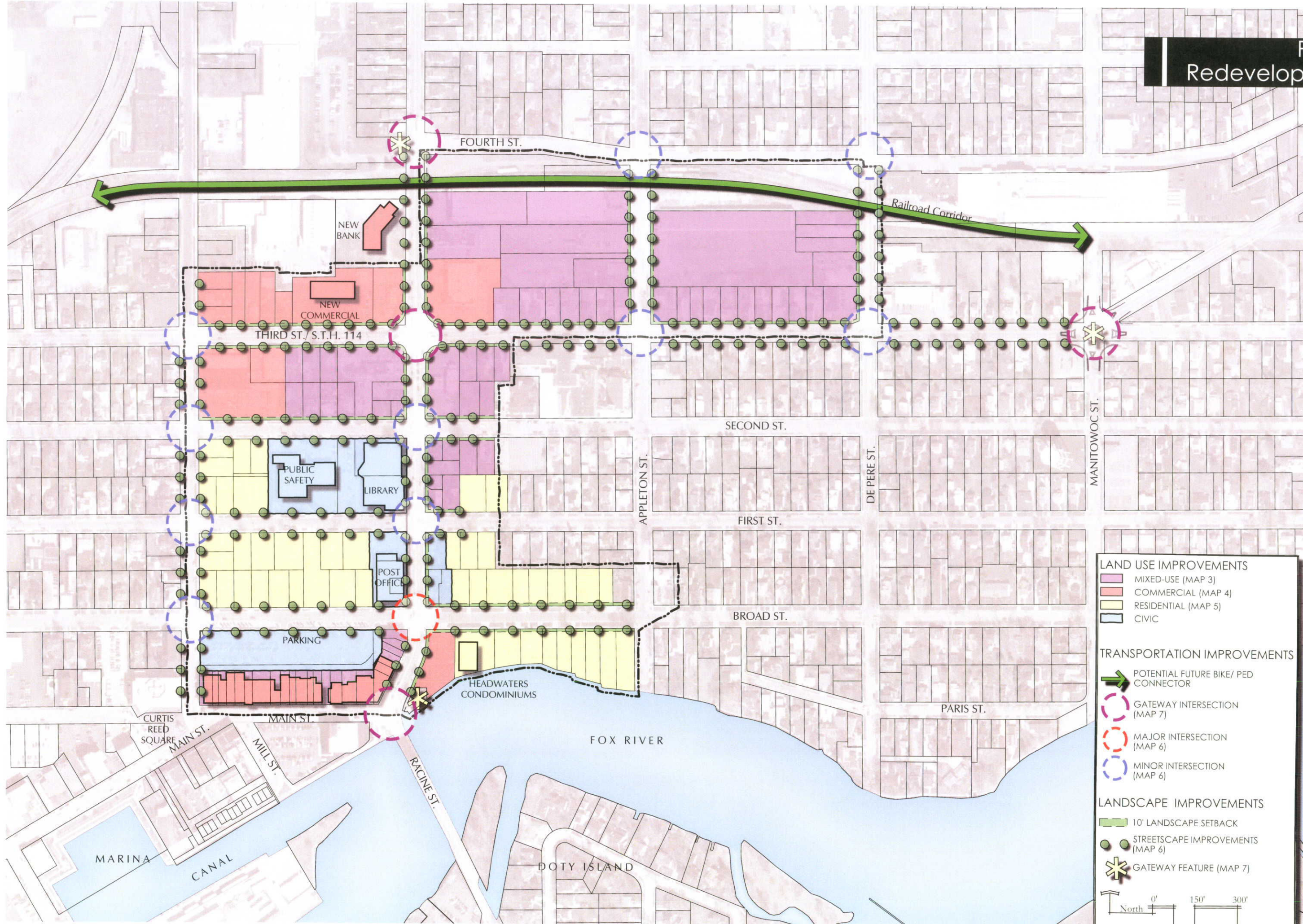
SCHREIBER / ANDERSON
ASSOCIATES, INC.

717 John Nolen Drive
Madison, WI 53713
Ph: 608 255 0800
Fx: 608 255 7750
www.saa-madison.com

December 2005
Project No. 1985



City of Menasha
Wisconsin



LAND USE IMPROVEMENTS

- MIXED-USE (MAP 3)
- COMMERCIAL (MAP 4)
- RESIDENTIAL (MAP 5)
- CIVIC

TRANSPORTATION IMPROVEMENTS

- POTENTIAL FUTURE BIKE/ PED CONNECTOR
- GATEWAY INTERSECTION (MAP 7)
- MAJOR INTERSECTION (MAP 6)
- MINOR INTERSECTION (MAP 6)

LANDSCAPE IMPROVEMENTS

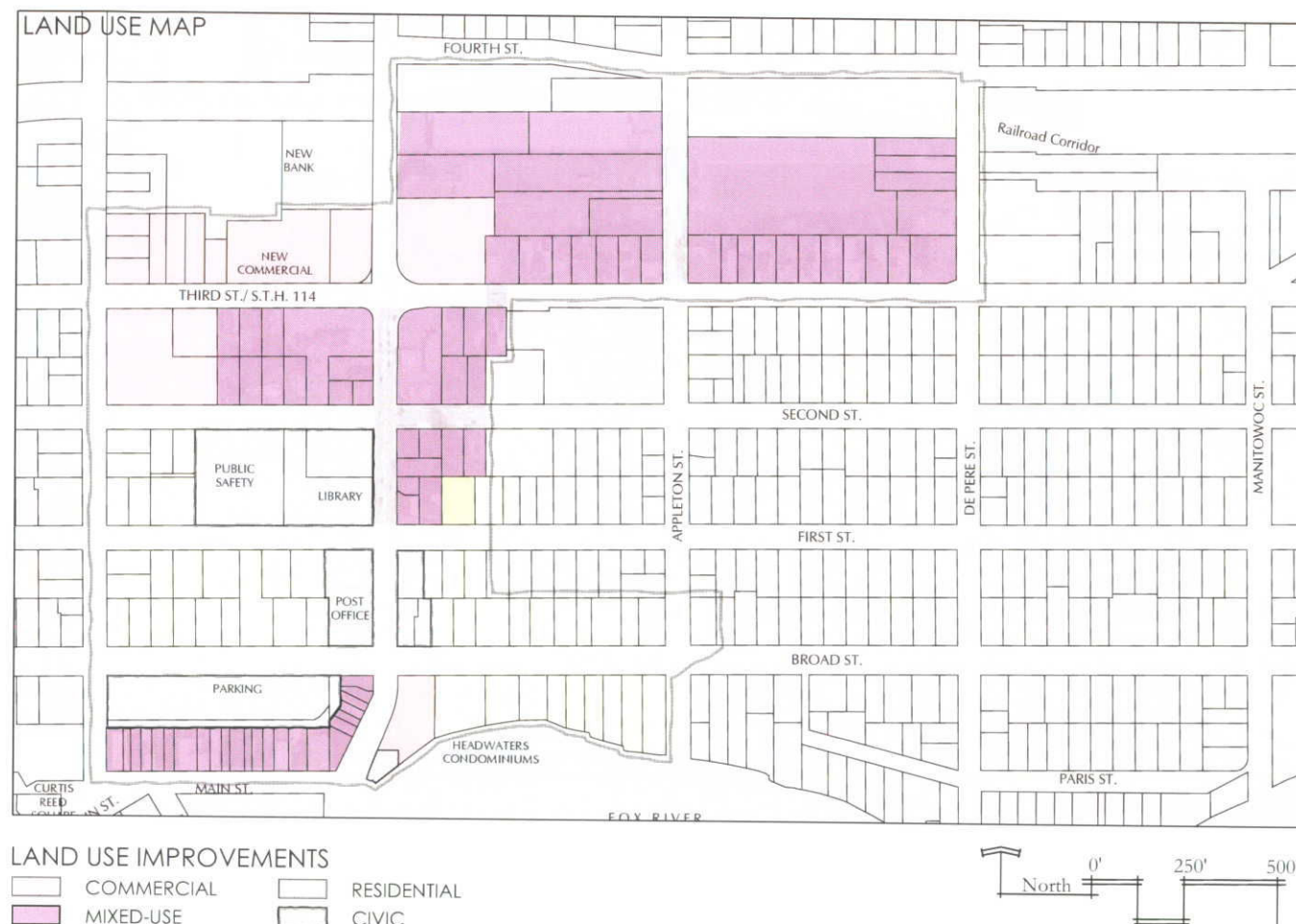
- 10' LANDSCAPE SETBACK
- STREETSCAPE IMPROVEMENTS (MAP 6)
- GATEWAY FEATURE (MAP 7)

North 0' 150' 300'

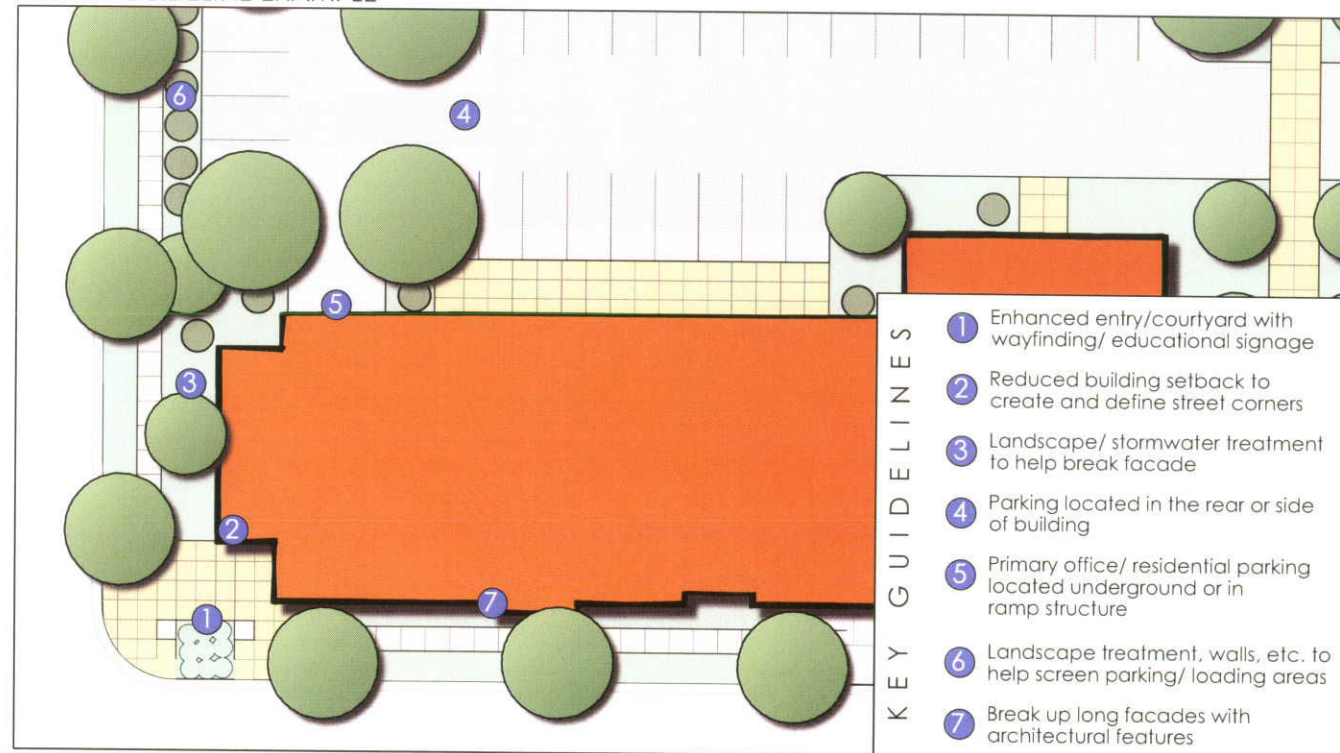
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THIRD STREET
and
RACINE STREET
CORRIDOR



SCHREIBER / ANDERSON
ASSOCIATES, INC.
717 John Nolen Drive
Madison, WI 53713
Ph. 608.255.0800
Fx. 608.255.7750
www.saa-madison.com
December 2005



DESIGN GUIDELINE EXAMPLE



GENERAL REDEVELOPMENT DESIGN GUIDELINES

- Integrate the neighborhoods with clear & safe connections to the downtown
- Place landscaping & buildings, not parking, closer to the street
- Reduce setbacks from the street. Consider the adoption of standards that set the building line between 0-10 feet from the right-of-way
- Promote shared parking and internal circulation between properties to limit curb cuts on major streets and the need for excessive parking
- Provide efficient parking options to support existing uses & future redevelopment through a combination of surface & structure parking.
- First floor signage should be flush mounted and/ or window lettering and or projection signs on building facades
- Signage should not be self illuminating but rather lit by small unobtrusive building mounted lighting
- Parking lot lighting shall be from "downward-aimed" sources to limit light pollution
- Additional site lighting should compliment the theme of the public streetscape

THIRD STREET/ RACINE STREET DESIGN GUIDELINES

- New buildings should be oriented to the major streets with parking located between, on the sides, behind or under the buildings
- Avoid long, monotonous facades for buildings by incorporating building wall offsets, projections, recesses, & other variations in the building massing
- Promote high quality building and site designs for all properties
- Buildings near & around Fourth Street south of the rail corridor should complement the scale and character of the residential areas to the north.
- Consider the use of larger buildings south of the rail corridor along 3rd Street as a transition from the pattern of the existing neighborhood to new commercial development
- Encourage taller buildings varying from two to three to stories along Racine & Third Streets



MIXED USE

Map 3



City of Menasha
Wisconsin

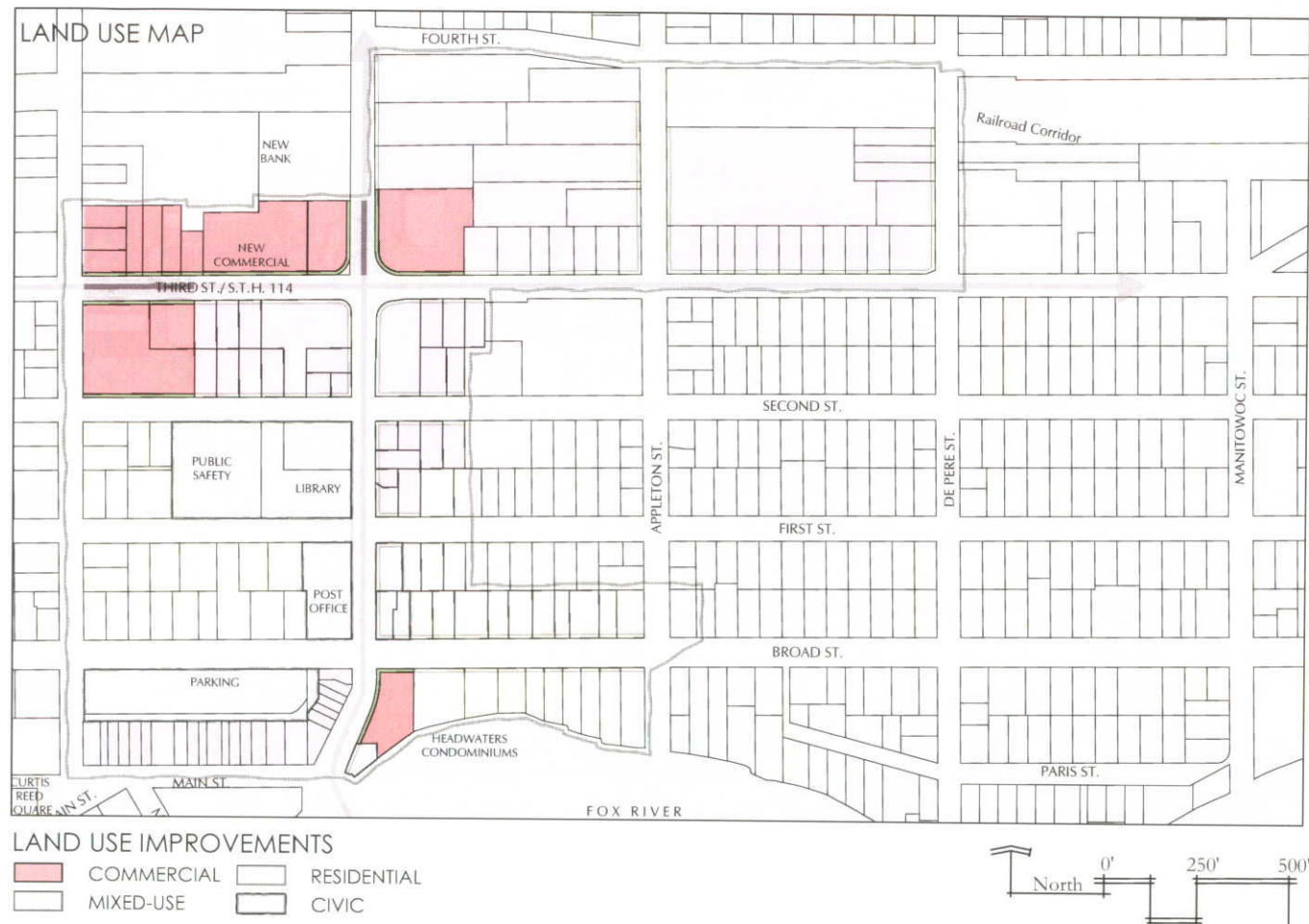
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THIRD STREET
and
RACINE STREET
CORRIDOR



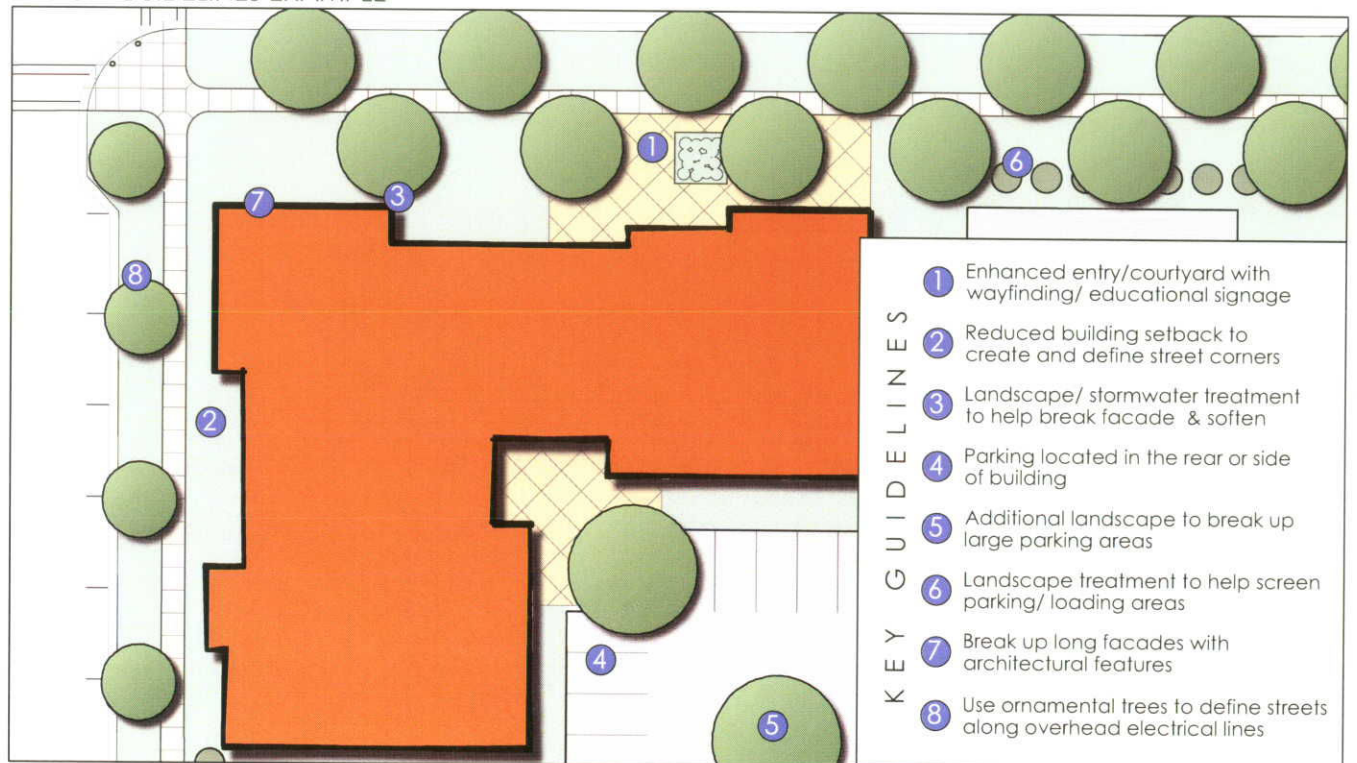
SCHREIBER / ANDERSON
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Fx: 608 255 7750
www.saa-madison.com

December 2005



DESIGN GUIDELINES EXAMPLE



GENERAL REDEVELOPMENT DESIGN GUIDELINES

- Locate parking to the sides or rears of buildings & screen from streets by with suitable landscaping.
- Provide primary entrance to buildings from the public street and sidewalk.
- Commercial parking lots should include plantings & stormwater infiltration areas, particularly for lots closer to the river.
- Design all visible sides of existing and new buildings. Facades facing the river should contain detail equal to that of facades facing the street.
- Promote shared parking and internal circulation between properties to limit curb cuts on main streets and the need for excessive parking.
- Provide efficient parking options to support existing uses and future redevelopment. This could include a combination of shared, surface and structured parking
- Preserve the historic character of the downtown, including the mix of uses, architecture, lot sizes, etc.

THIRD STREET/ RACINE STREET DESIGN GUIDELINES

- Coordinate building & site designs with adjoining properties along 3rd Street. New commercial development should complement the scale & character of the surrounding neighborhood.
- Reduce setbacks of new or redeveloped structures along 3rd Street & Racine Street to enhance the character and definition of the street.
- Avoid long, monotonous blank facades for buildings along Racine Street & 3rd Street. Use building wall offsets, projections, recesses, & other variations in the building massing to add architectural interest and variety.

COMMERCIAL

Map 4



City of Menasha
Wisconsin



- First floor signage should be flush mounted, window lettering and/ or projection signs on building facades
- Signage should not be self illuminating but rather lit by small unobtrusive building mounted lighting
- Parking lot lighting shall be from cut-off or "downward-aimed" sources to limit light pollution
- Additional site lighting should compliment the character of the public streetscape



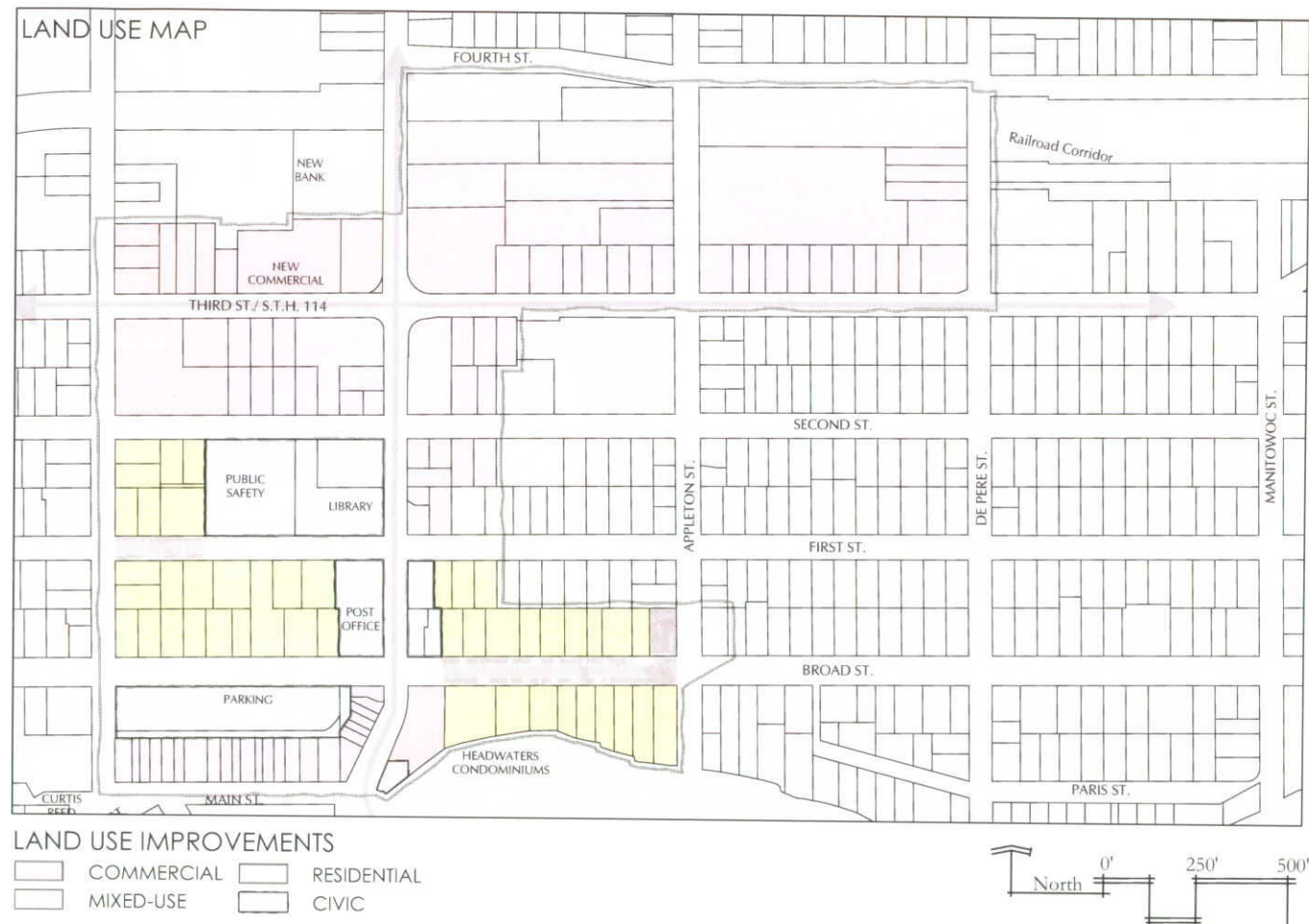
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and
RACINE STREET
CORRIDOR



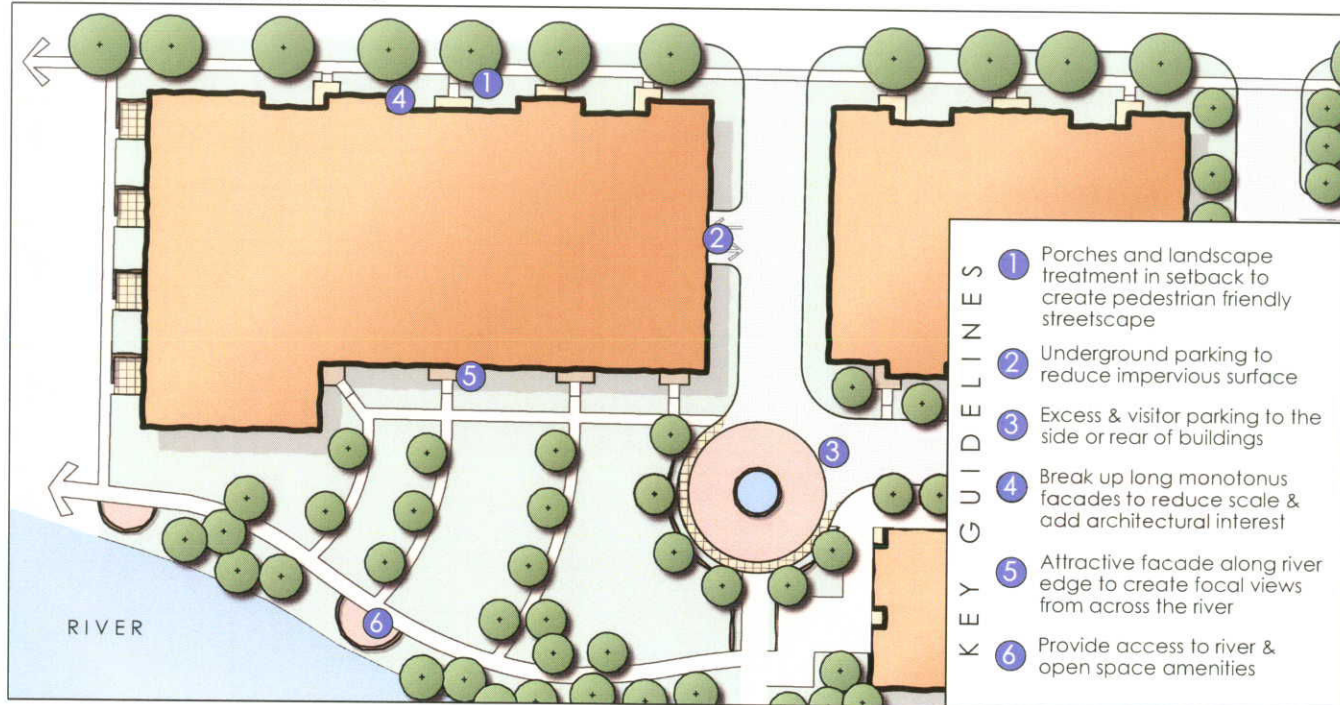
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DESIGN GUIDELINES EXAMPLE



HIGH DENSITY DESIGN GUIDELINES

- Reduce setbacks of new or redeveloped structures along 3rd Street & Racine Street to enhance the character and definition of this street.
- Place landscaping and buildings, not parking, closer to Racine Street and 3rd Street as properties redevelop.
- High level of design for all visible sides of existing & new buildings. Facades facing the river should contain detail equal to that of facades facing the street.
- Selectively integrate existing neighborhoods with commercial uses that complement the neighborhood.
- Facades of residential buildings should provide high quality detailing to enhance the Streets as an attractive community and Downtown gateway corridor.



MEDIUM DENSITY DESIGN GUIDELINES

- Design & layout of single family and duplex homes should be consistent with existing historical character
- Incorporate the use of porches, landscape treatments and widened grass terrace to create pedestrian friendly streetscape
- Garages shall be side or rear loaded where possible. Front loaded garages shall be setback a minimum of 6' from the facade of the house



RESIDENTIAL

Map 5



City of Menasha
Wisconsin

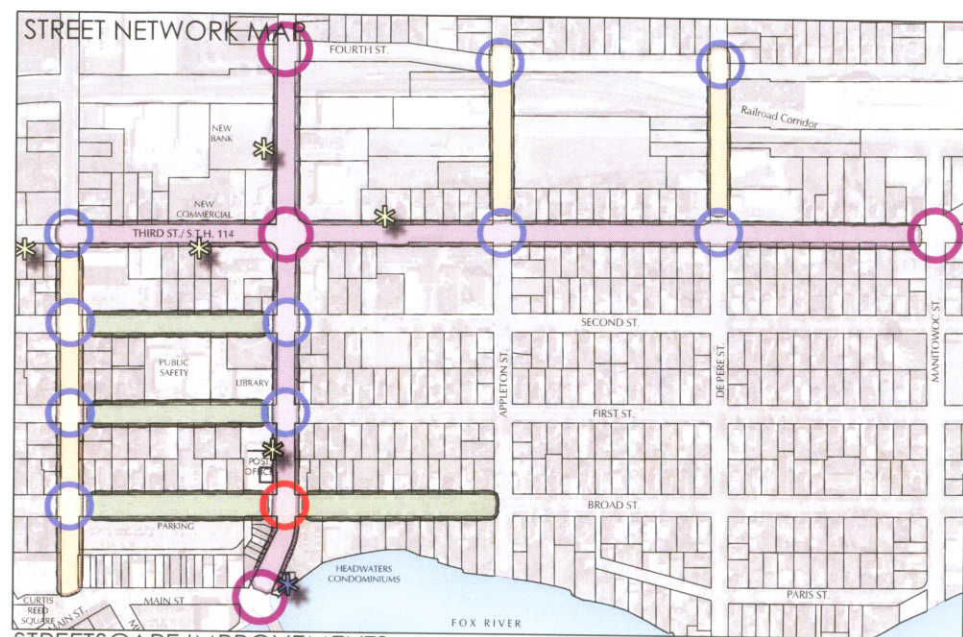
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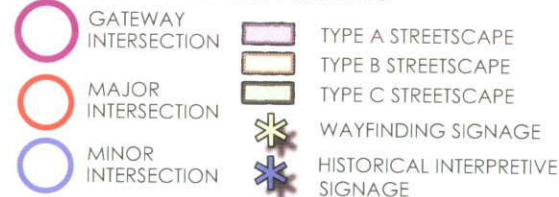
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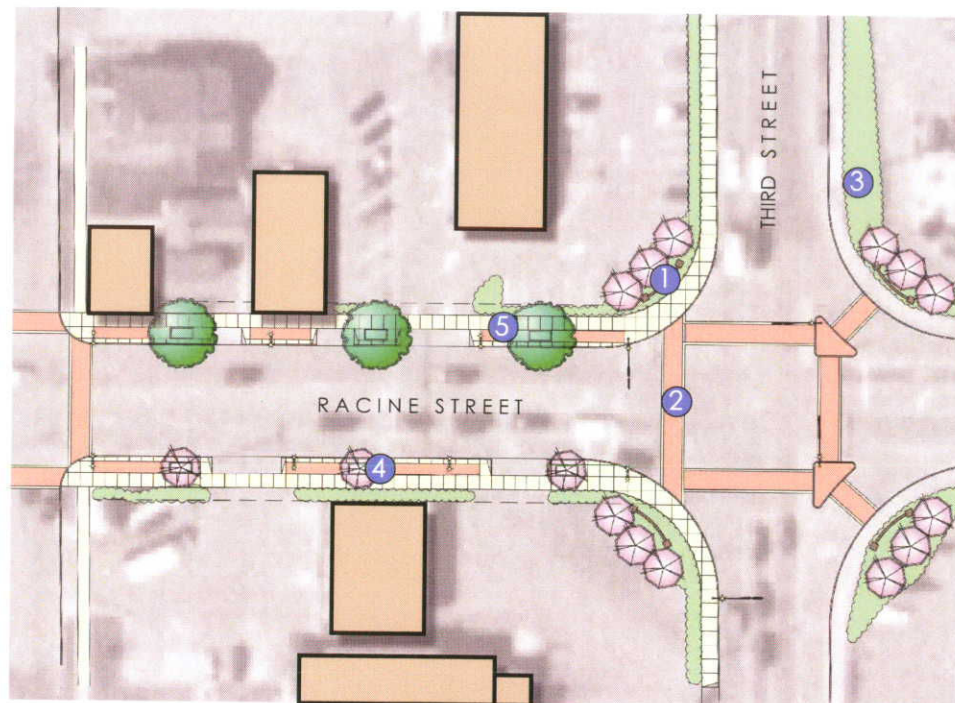
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STREETSCAPE IMPROVEMENTS



STREETSCAPE DESIGN EXAMPLE



Not to Scale

- 1 Define intersections with enhanced plantings and entry features
- 2 Specialty paving in crosswalks
- 3 Screen parking lots with landscape treatment or wall features
- 4 Use ornamental street trees under overhead electrical lines
- 5 Incorporate street trees, decorative lighting & landscape to create a more pedestrian friendly corridor

STREETSCAPE DESIGN GUIDELINES

TYPE A

- Provide decorative street lighting, banners, pedestrian amenities and street trees
- Enhance Racine & Third Streets to create a gateway entrance to the Downtown.
- Create entrance feature south of the intersection of Racine & Main
- Provide banners, holiday decorations, and other visual enhancements on existing and new roadway lighting to improve the visual character and identity of these streets.
- Create attractive wayfinding to the riverfront & Downtown destinations.
- Encourage native landscaping & incorporate stormwater treatment in the landscape

TYPE B

- Expand wayfinding to direct visitors to commercial destinations.
- Provide decorative street lighting, banners, pedestrian amenities & street trees that enhance & connect the corridor with Downtown
- Integrate the use of landscape, architect & public improvements to enhance the importance of this Downtown gateway
- Encourage native landscaping & incorporate stormwater treatment in the landscape

TYPE C

- Provide street trees, wide grass terrace, street lights landscaping to enhance pedestrian friendly streetscape
- Create attractive wayfinding to the riverfront & Downtown destinations.

GATEWAY DESIGN GUIDELINES

GATEWAY @ MAIN and RACINE

- Create gateway entrance that ties the corridor to Downtown & the riverfront
- Incorporate forms & materials used at the square & Tayco Street Bridge
- Celebrate historical & cultural significance of the river

GATEWAY @ THIRD and RACINE

- Define crosswalks with specialty paving
- Column & wall elements to help define major intersections. Use materials consistent with downtown & Main Street gateway
- Enhance & soften intersection corners & parking areas with plantings
- Signage should be ground mounted monument type

GATEWAY @ FOURTH and RACINE

- Provide entry plantings & wayfinding signage
- Create landscape buffer along railroad & parking areas

GATEWAY @ THIRD and MANITOWOC

- Potential roundabout as traffic calming & entrance to historic area
- Landscape & potential monument in roundabout to create aesthetic entry

INTERSECTION DESIGN GUIDELINES

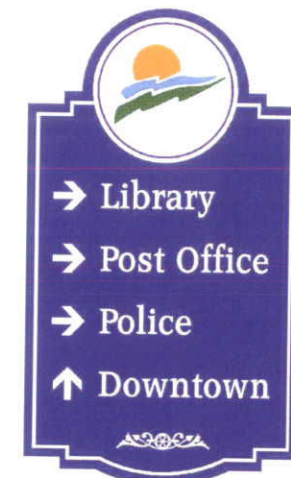
MAJOR INTERSECTIONS

- Beautify intersections with landscaping & signage features that are scaled and to the pedestrian as well as vehicular traffic
- Enhance pedestrian crosswalks with specialty paving
- Wayfinding & signage features that are scaled and to the pedestrian as well as vehicular traffic
- Enhance pedestrian crosswalks with specialty paving



STREETSCAPE & GATEWAYS

Map 6



WAYFINDING SIGNAGE- TYPE A



WAYFINDING SIGNAGE- TYPE B

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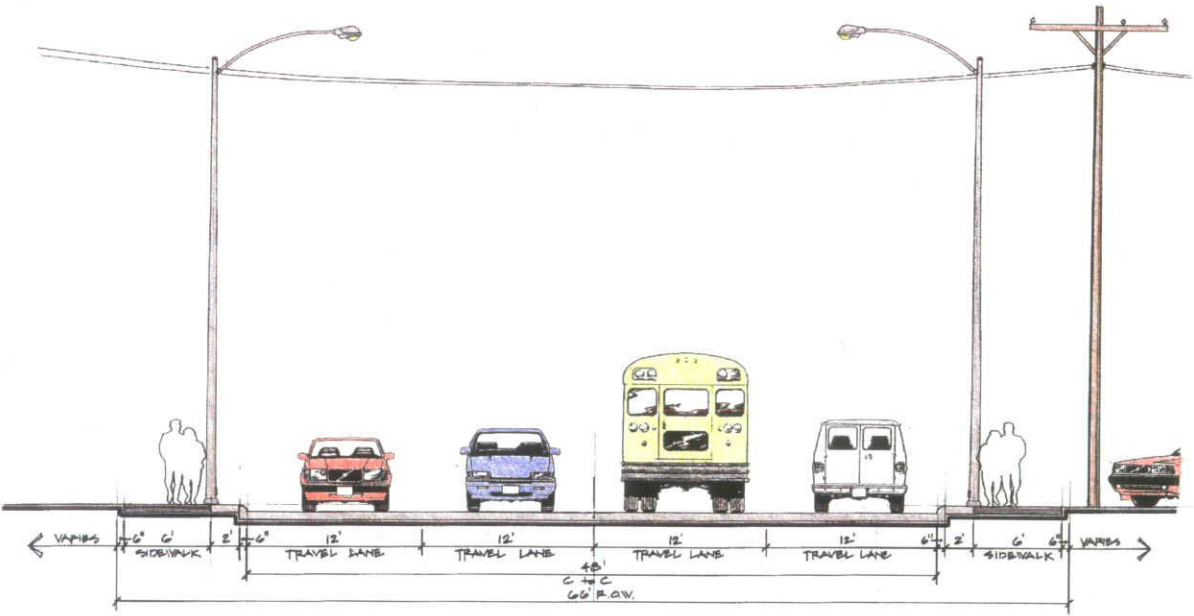


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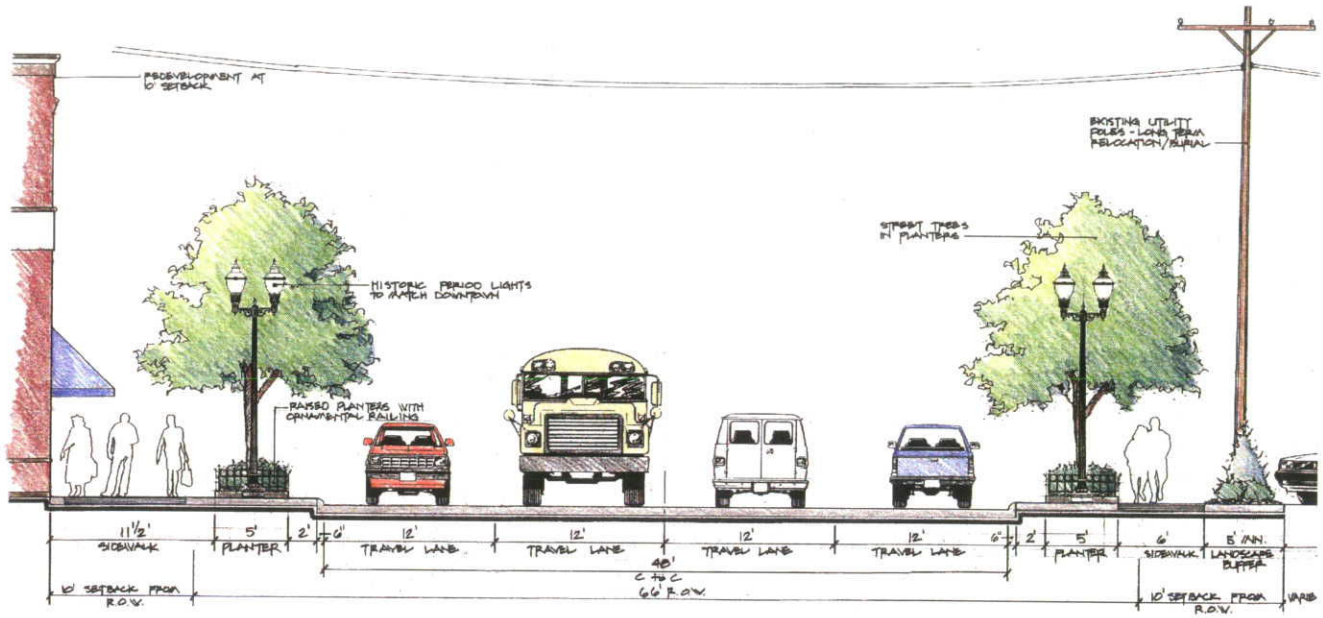


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Wisconsin

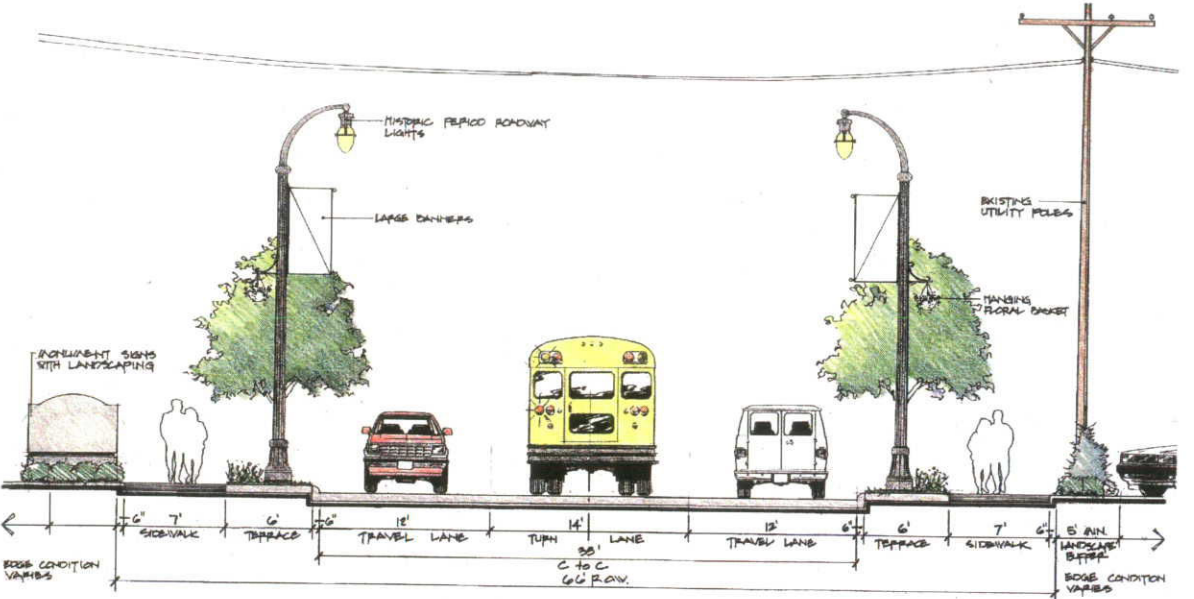
RACINE STREET- TYPE A



EXISTING CROSS SECTION



POTENTIAL CROSS SECTION



TWTL CROSS SECTION

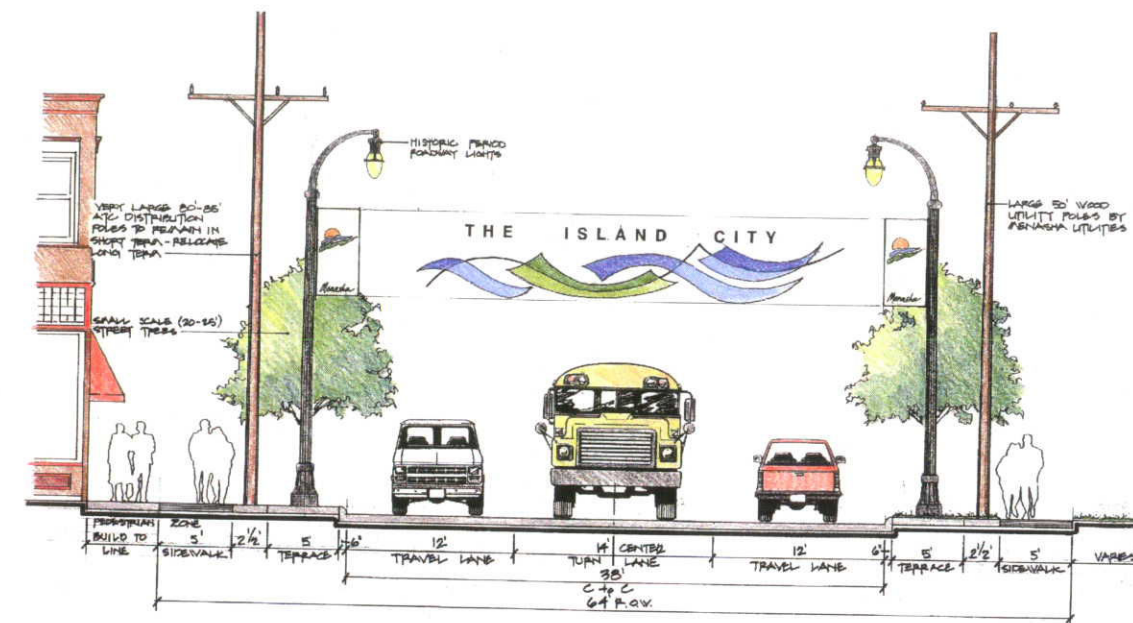
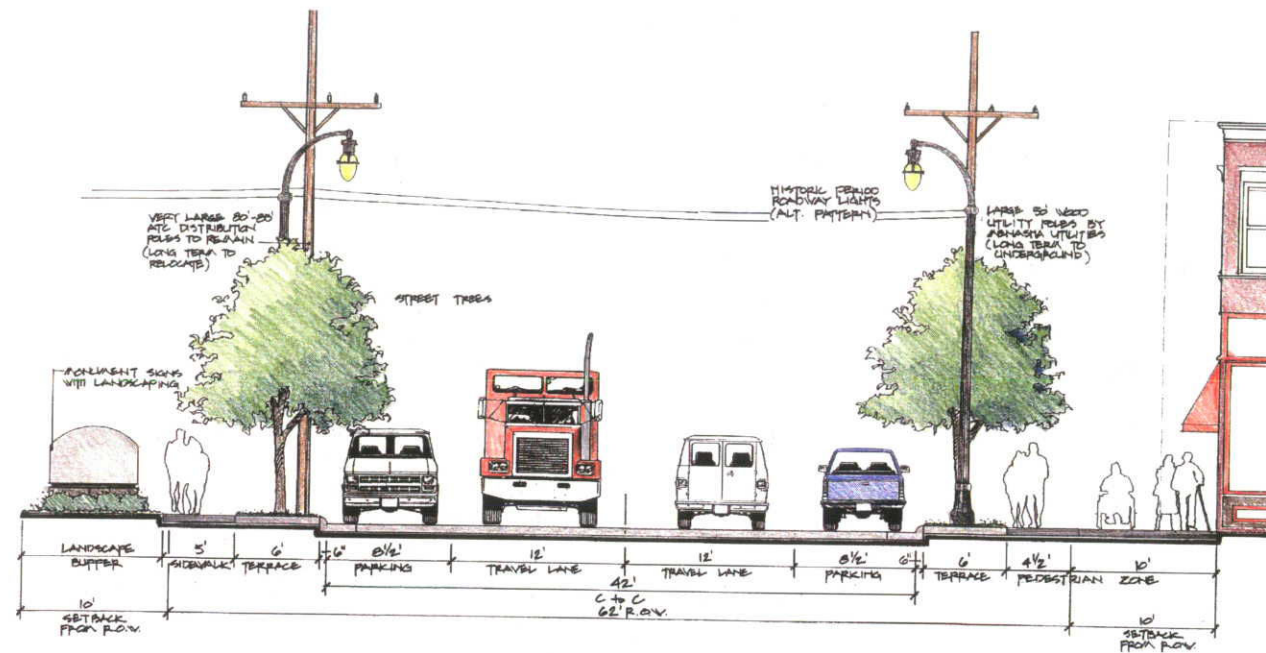
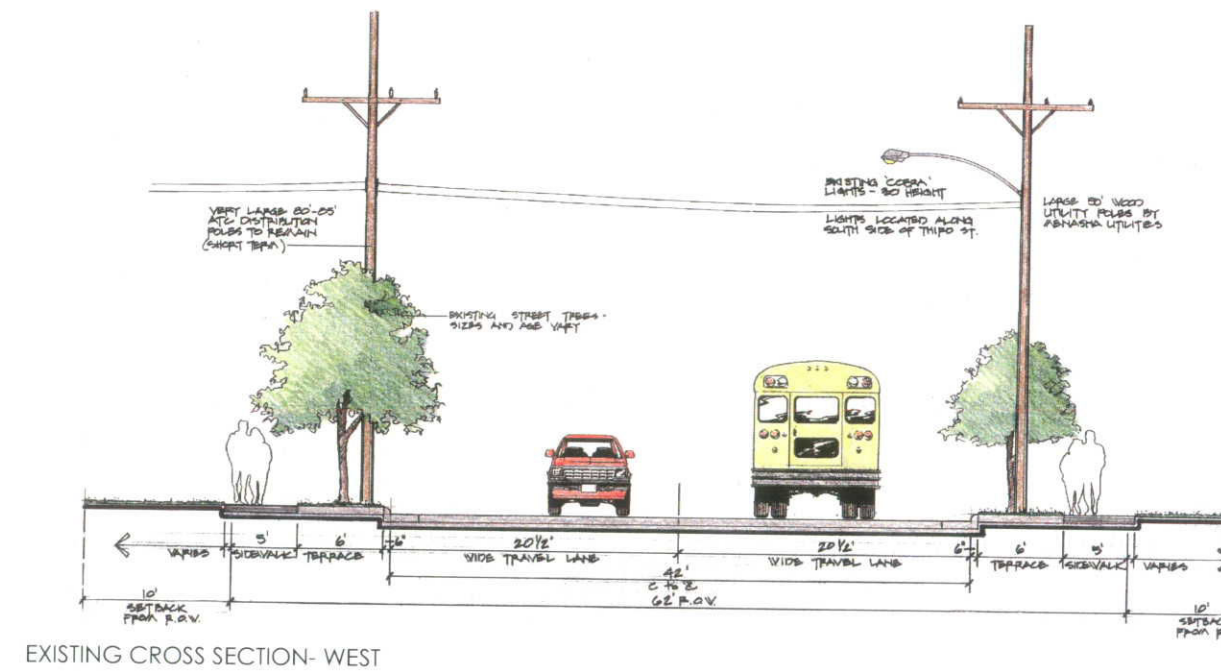
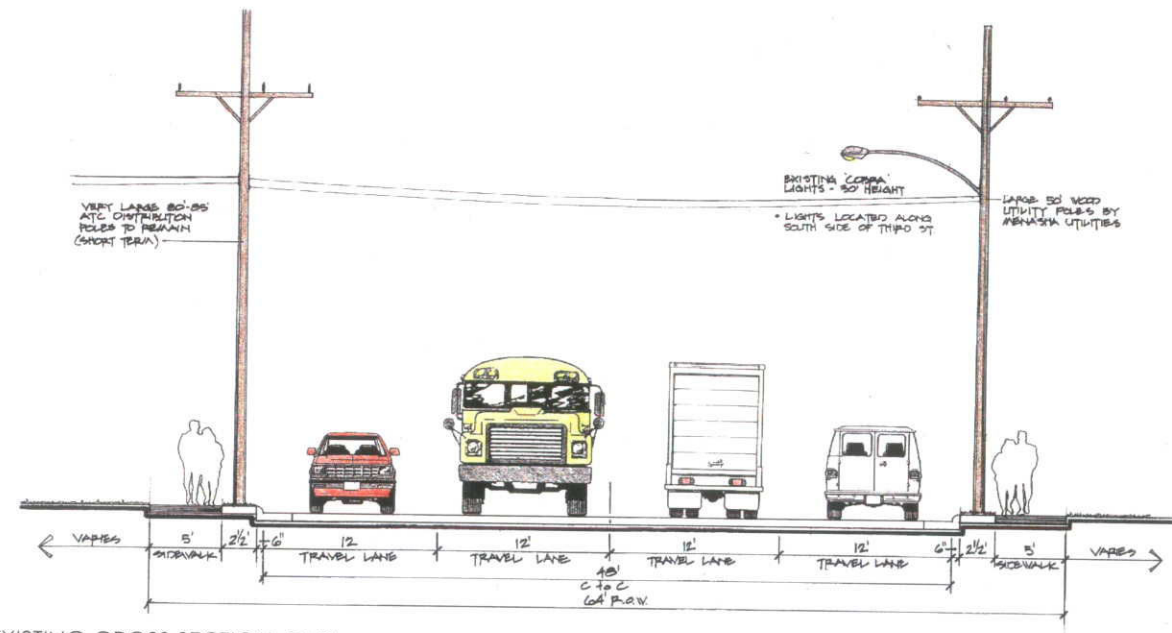
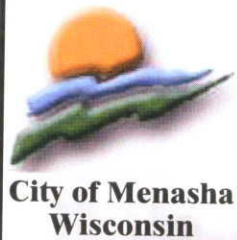
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STREETS SECTIONS- THIRD STREET

Map 8



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